

## STATE OF OREGON

COUNTY OF

TILLAMOOK

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That**      NEWTON L. & PEGGY J. KINKADE

of 25990 Blain Rd., Beaver      , State of Oregon, 97108      , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Nestucca River

a tributary of Pacific Ocean      for the purpose of irrigation of 34.8 acres

under Permit No. 30148      and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from November 30, 1964

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.44 cubic foot per second, being 0.19 c.f.s. at the original point of diversion and 0.25 c.f.s. from the new point of diversion, if available at the original point of diversion; NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 26, T. 3 S., R. 9 W., W. M., 890 feet \*

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 26, NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 27, T. 3 S., R. 9 W., W. M., 890 feet South and 450 feet East, 1240 feet South and 270 feet West, both from the W $\frac{1}{4}$  Corner, Section 26

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

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\* South and 450 feet East from the W $\frac{1}{4}$  Corner, Section 26.

Original Diversion Point

3.7 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$

11.5 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$

Section 26

T. 3 S., R. 9 W., W. M.

New Diversion Point

2.0 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$

Section 26

15.0 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$

2.6 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$

Section 27

T. 3 S., R. 9 W., W. M.

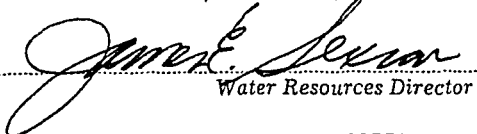
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 35031, Volume 27, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on December 16, 1976, approving transfer application No. 3273 as well as to confirm the change in place of use and point of diversion approved by the same order. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.*

*WITNESS the signature of the Water Resources Director, affixed*

*this date.*

September 13, 1979

  
Water Resources Director