

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This is to certify, That FREDERICK G. APPEGATE

of Route 2, Box 12, Yoncalla, State of Oregon 97499, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a spring, an unnamed stream, and Applegate Reservoir constructed under Permit R-6294 a tributary of Elk Creek for the purpose of irrigation of 17.1 acres

under Permit No. 39324 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 December 26, 1974 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 0.21 cubic foot per second, from the spring, with any deficiency in the available supply from the spring to be made up by an appropriation from the unnamed stream and Applegate Reservoir, provided that the total quantity of * or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 NW 1/4 (spring), NW 1/4 NW 1/4 (stream & reservoir), as projected within Scott DLC 37, Section 5, T23S, R4W, WM; 850 feet South and 1600 feet East, 1100 feet South and 300 feet East, both from NW Corner, Section 5.

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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and from reservoir constructed under Permit R-6294,

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:

- 4.5 acres NW 1/4 NW 1/4 as projected within Scott DLC 37
- 0.9 acre Lot 1 (NW 1/4 NW 1/4)
- 7.4 acres SW 1/4 NW 1/4
- Section 5
- 1.3 acres NE 1/4 NE 1/4 as projected within Scott DLC 37
- 0.2 acre Lot 1 (NE 1/4 NE 1/4)
- 2.8 acres SE 1/4 NE 1/4
- Section 6
- Township 23 South, Range 4 West, WM

* water diverted from all sources shall not exceed 0.21 cfs,

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 minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. March 13, 1986

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 49, page 53914