

STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This is to certify, That FRANK E. GILPATRICK

of Star Route, Silverton, State of OR 97381, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Powers Creek and unnamed spring

a tributary of Abiqua Creek for the purpose of irrigation of 12.1 acres and domestic use 1 cabin

under Permit No. 14800 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 March 13, 1941 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 0.12 cubic foot per second, being 0.005 cfs from spring for domestic and 0.115 cfs from Powers Creek for irrigation

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 SE 1/4, NE 1/4 SE 1/4, Section 9, SW 1/4 NW 1/4, Section 10, T7S, R1E., WM

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 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: 12.1 acres SE 1/4 NE 1/4 Section 9 Domestic NW 1/4 SW 1/4 Section 10 Township 7 South, Range 1 East, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 31427, Volume 23, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on January 13, 1986.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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. April 16, 1986

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 49, page 54272

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