

DESCRIPTION OF WATER RIGHT

Change in Point of DIVERSION
Date filed September 4, 1970
Date of hearing February 10, 1971
Place of hearing Corvallis, Oregon
Date of order 2-22-71 Vol. 20, page 422
Date for application of water 10-1-71
Proof mailed
Proof received

Certificate issued FEB 27 1974 Vol. 31, page 39821
To Sunday Mar. 2, 1971 39832
45461
MAY 1 1978 1-15-75 45587

Name of stream S. Fk. Halsea River
Trib. of — County of Benton
Use Irrigation
Quantity of water 0.08 + 0.20 No. of acres 30^a per 6^a per
Name of ditch —
Date of priority per. No. 14920-5/5/41 per. No. 173
In name of John Newman

..... Adjudication, Vol., page
 App. No. 19322 Per. No. 14920 Cert. No. 24389
 App. No. 21941 Per. No. 17341 Cert. No. 24390
 Certificate cancelled
 Notation made on record by slw

Date	Amount	Receipt No.
9-4-70	25.00	20709
12-03-70	30.00 POIN	21809
1-7-71	6.06 POIN	22230
TOTAL . . .		
1-8-71	\$2 Cert. Fee	From Pub. Inst.
2-8-74	1.00	38587

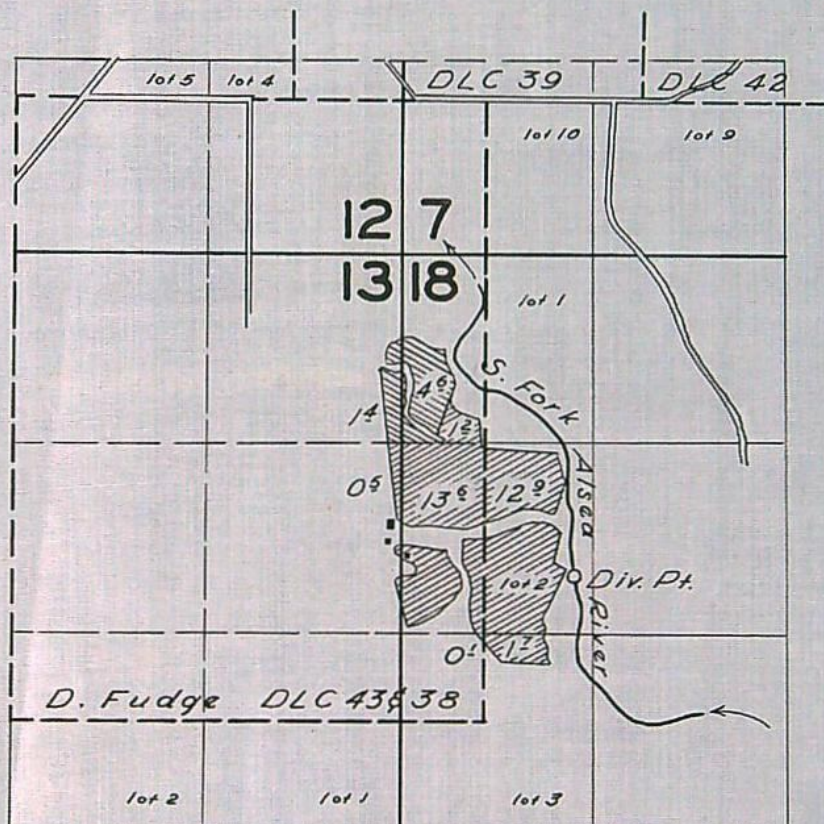
FEES REFUNDED

[illegible]


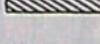
REMARKS

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/>	Name	<i>sh</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Stream	<i>sh</i>	<input type="checkbox"/>
<input type="checkbox"/>	Pt. of Div.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Calendar	<i>sh</i>	<input type="checkbox"/>
	CHECKED TO RECORDS:		
<input checked="" type="checkbox"/>	Twp. & Rge.	<i>sh</i>	<input type="checkbox"/>
<input type="checkbox"/>	Decree-vault	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Decree-sale	<i>sh</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Cert. of W & R	<i>sh</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Per. Folder	<i>sh</i>	<input type="checkbox"/>
<input type="checkbox"/>	Chainindex	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Cross Ref.	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Power Claim	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Abstracts	<input type="checkbox"/>	<input type="checkbox"/>

T.14S.R.7 & 8W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. 19322 14920 
Permit No. 21941 17341 
IN NAME OF

JOHN NEWMAN

Surveyed 23 Aug 1957, by Shirley

STATE OF OREGON
COUNTY OF BENTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BRUCE L. ENGEL

97201
of 680 Blue Cross Building, Portland, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
South Fork Alsea River

a tributary of Alsea River for the purpose of
irrigation of 6.0 acres

under Permit No. 17341 of the State Engineer, 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 September 6, 1946

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
0.08 cubic foot per second

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 $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Fudge DLC 38,
Section 18, T. 14 S., R. 7 W., W. M., 1800 feet South and 2900 feet East from NW
Corner, Fudge DLC 43.

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:

1.4 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
As projected within Fudge DLC 43
Section 13
T. 14 S., R. 8 W., W. M.

4.6 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
As projected within Fudge DLC 38
Section 18
T. 14 S., R. 7 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an
order of the State Engineer entered February 22, 1971, and supersedes certificate of
water right issued to John Newman and recorded at page 24390, Volume 17, State Record
of Water Right Certificates.

~~Thompson~~
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this date. February 26, 1974

State Engineer

Recorded in State Record of Water Right Certificates, Volume 31, page 39822

STATE OF OREGON

COUNTY OF BENTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BRUCE L. ENGEL

97201

of 680 Blue Cross Building, Portland, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Fork Alsea River

a tributary of Alsea River
irrigation of 30.0 acres

for the purpose of

under Permit No. 14920 of the State Engineer, 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 May 5, 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 0.20 cubic foot per second

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 $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Fudge DLC 38, Section 18, T. 14 S., R. 7 W., W. M., 1800 feet South and 2900 feet East from NW Corner, Fudge DLC 43.

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:

0.5 acre SE $\frac{1}{4}$ NE $\frac{1}{4}$
As projected within Fudge DLC 43
Section 13
T. 14 S., R. 8 W., W. M.
1.2 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
13.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
Both as projected within Fudge DLC 38
12.9 acres Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
0.1 acre NW $\frac{1}{4}$ SW $\frac{1}{4}$
As projected within Fudge DLC 38
1.7 acres Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 18
T. 14 S., R. 7 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the State Engineer entered February 22, 1971, and supersedes certificate of water right issued to John Newman and recorded at page 24389, Volume 17, State Record of Water Right Certificates.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. February 26, 1974

State Engineer

BEFORE THE STATE ENGINEER OF OREGON

Benton County

IN THE MATTER OF THE APPLICATION)
OF BRUCE L. ENGEL FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM SOUTH FORK ALSEA)
RIVER)

ORDER APPROVING
TRANSFER NO. 2442

On September 4, 1970, Bruce L. Engel filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from South Fork Alsea River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to John Newman and recorded at page 24389, Volume 17, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.20 cubic foot per second of water from South Fork Alsea River for the irrigation of 0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, Township 14 South, Range 8 West, W.M., 1.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 26.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 1.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, Township 14 South, Range 7 West, W.M., with a date of priority of May 5, 1941.

Certificate of water right issued to John Newman and recorded at page 24390, Volume 17, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.08 cubic foot per second of water from South Fork Alsea River for the irrigation of 1.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, Township 14 South, Range 8 West, W.M. and 4.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 18, Township 14 South, Range 7 West, W.M., with a date of priority of September 6, 1946.

These lands are irrigated from a point of diversion located 2225 feet south and 1190 feet east from the NW corner of Section 18 being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 14 South, Range 7 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 725 feet south and 355 feet east from the NW corner of Section 18 being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 14 South, Range 7 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Corvallis, Oregon, on February 10, 1971, at 9:30 a.m. The notice was published in the Corvallis Gazette-Times, a newspaper printed and having general circulation in Benton County, Oregon, for a period of three weeks in the issues of December 16, 23, and 30, 1970. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Vestal R. Garner, Watermaster of District No. 2, has filed a report to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from South Fork Alsea River, to-wit:

From a point located 2225 feet south and 1190 feet east from the NW corner of Section 18 being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 14 South, Range 7 West, W.M.

To a point to be located 725 feet south and 355 feet east from the NW corner of Section 18 being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 14 South, Range 7 West, W.M.

for the irrigation of 0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, Township 14

South, Range 8 West, W.M., 1.2 acres in NW¼ NW¼, 26.5 acres in SW¼ NW¼, and 1.8 acres in NW¼ SW¼, Section 18, Township 14 South, Range 7 West, W.M., with a date of priority of May 5, 1941, 1.4 acres in NE¼ NE¼, Section 13, Township 14 South, Range 8 West, W.M. and 4.6 acres in NW¼ NW¼, Section 18, Township 14 South, Range 7 West, W.M., with a date of priority of September 6, 1946, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1971.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion and shall not exceed 0.08 cubic foot per second with a date of priority of September 6, 1946, and 0.20 cubic foot per second with a date of priority of May 5, 1941.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificates of water right heretofore issued to John Newman and recorded at pages 24389 and 24390, Volume 17, State Record of Water Right Certificates, are canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, certificates of water right shall be issued to Bruce L. Engel confirming the change in point

of diversion.

Dated at Salem, Oregon, this 22nd day of February, 1971.

/s/ CHRIS L. WHEELER
State Engineer

Affidavit of Publication

NOTICE OF FILING APPLICATION
FOR A CHANGE IN POINT OF
DIVERSION OF WATER

Notice is given hereby that Bruce L. Engel has filed an application for the approval of a change in point of diversion of water from South Fork Alsea River.

Certificate of water right issued to John Newman and recorded at page 24389, Volume 17, State Record of Water Right Certificates, confirms a right to the use of 0.20 cubic foot per second of water from South Fork Alsea River for the irrigation of 0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 14 S., R. 8 W., W.M., 1.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 26.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 1.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 14 S., R. 7 W., W.M., with a date of priority of May 3, 1941.

Certificate of water right issued to John Newman and recorded at page 24390, Volume 17, State Record of Water Right Certificates, confirms a right to the use of 0.08 cubic foot per second of water from South Fork Alsea River for the irrigation of 1.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 14 S., R. 8 W., W.M. and 4.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 14 S., R. 7 W., W.M., with a date of priority of September 6, 1946.

These lands are irrigated from a point of diversion located 2225 ft. S and 1190 ft. E from the NW corner of Sec. 18 being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 18, T. 14 S., R. 7 W., W.M.

The applicant proposes to irrigate these lands from a point of diversion to be located 725 ft. S and 355 ft. E from the NW corner of Sec. 18 being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 18, T. 14 S., R. 7 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Corvallis, Oregon, on February 10, 1971, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Bruce L. Engel, 680 Blue Cross Bldg., Portland, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 filing fee at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Oregon, this 11th day of December, 1970.

CHRIS L. WHEELER
State Engineer

State of Oregon }
County of Benton } ss.

I, W. A. Newton, being first duly sworn, depose and say that I am the Printer

of the Corvallis Gazette-Times, a newspaper of general circulation, as defined by section 193.010, O.R.S., published at Corvallis, Oregon, in the aforesaid county and state; that the

Notice of filing application for a change in point of diversion of water

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for three successive and consecutive weeks in the following issues:

of Dec. 16, 1970
of Dec. 23, 1970
of , 19
of , 19
and of Dec. 30, 1970

Wa Newton

Subscribed and sworn to before me this 2nd day of January, 1971

L. E. Krogman
NOTARY PUBLIC FOR OREGON

My Commission Expires March 17, 1972

RECEIVED
JAN 4 1971
STATE ENGINEER
SALEM OREGON

Affidavit of Publication

State of Oregon }
County of Benton } ss.

I, W. A. Newton, being first duly sworn, depose and say that I am the Printer

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Notice of filing application for a change in point of diversion of water

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for three successive and consecutive weeks in the following issues:

of Dec. 16, 1970
of Dec. 23, 1970
of _____, 19____
of _____, 19____
and of Dec. 30, 1970

W. A. Newton

Subscribed and sworn to before me this 2nd day of January, 1971

L. E. Krogman
NOTARY PUBLIC FOR OREGON

My Commission Expires March 17, 1972

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that Bruce L. Engel has filed an application for the approval of a change in point of diversion of water from South Fork Alsea River.

Certificate of water right issued to John Newman and recorded at page 24389, Volume 17, State Record of Water Right Certificates, confirms a right to the use of 0.20 cubic foot per second of water from South Fork Alsea River for the irrigation of 0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 14 S., R. 8 W., W.M., 1.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 26.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 1.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 14 S., R. 7 W., W.M., with a date of priority of May 5, 1941.

Certificate of water right issued to John Newman and recorded at page 24390, Volume 17, State Record of Water Right Certificates, confirms a right to the use of 0.08 cubic foot per second of water from South Fork Alsea River for the irrigation of 1.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 14 S., R. 8 W., W.M. and 4.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 14 S., R. 7 W., W.M., with a date of priority of September 6, 1946.

These lands are irrigated from a point of diversion located 2225 ft. S and 1190 ft. E from the NW corner of Sec. 18 being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 18, T. 14 S., R. 7 W., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 725 ft. S and 355 ft. E from the NW corner of Sec. 18 being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 18, T. 14 S., R. 7 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Corvallis, Oregon, on February 10, 1971, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Bruce L. Engel, 680 Blue Cross Bldg., Portland, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 filing fee at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Oregon, this 11th day of December, 1970.

CHRIS L. WHEELER
State Engineer

RECEIVED
JAN 4 1971
STATE ENGINEER
SALEM, OREGON

Affidavit of Publication

State of Oregon }
County of Benton } ss.

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that Bruce L. Engel has filed an application for the approval of a change in point of diversion of water from South Fork Alsea River.

Certificate of water right issued to John Newman and recorded at page 24389, Volume 17, State Record of Water Right Certificates, confirms a right to the use of 0.20 cubic foot per second of water from South Fork Alsea River for the irrigation of 0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 14 S., R. 8 W., W.M., 1.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 26.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 1.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 14 S., R. 7 W., W.M., with a date of priority of May 5, 1941.

Certificate of water right issued to John Newman and recorded at page 24390, Volume 17, State Record of Water Right Certificates, confirms a right to the use of 0.08 cubic foot per second of water from South Fork Alsea River for the irrigation of 1.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 14 S., R. 8 W., W.M. and 4.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 14 S., R. 7 W., W.M., with a date of priority of September 6, 1946.

These lands are irrigated from a point of diversion located 2225 ft. S and 1190 ft. E from the NW corner of Sec. 18 being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 18, T. 14 S., R. 7 W., W.M.

The applicant, Bruce L. Engel, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 725 ft. S and 355 ft. E from the NW corner of Sec. 18 being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 18, T. 14 S., R. 7 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Corvallis, Oregon, on February 10, 1971, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Bruce L. Engel, 680 Blue Cross Bldg., Portland, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 filing fee at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Oregon, this 11th day of December, 1970.

CHRIS L. WHEELER
State Engineer

I, W. A. Newton, being first duly sworn, depose and say that I am the Printer

of the Corvallis Gazette-Times, a newspaper of general circulation, as defined by section 193.010, O.R.S., published at Corvallis, Oregon, in the aforesaid county and state; that the

Notice of filing application for a change in point of diversion of water

a printed copy of which is hereto annexed, was published in the entire

issue of said newspaper for three successive and consecutive weeks in the following issues:

of Dec. 16, 1970

of Dec. 23, 1970

of _____, 19____

of _____, 19____

and of Dec. 30, 1970

W A Newton

Subscribed and sworn to before me this 2nd day of

January, 1971

L. E. Krogman
NOTARY PUBLIC FOR OREGON

My Commission Expires March 17, 1972

RECEIVED
JAN 4 1971
STATE ENGINEER
SALEM OREGON

STATE OF OREGON

COUNTY OF BENTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

Bruce L. Engel
JOHN NEWMAN

of 650 Blue Cross Bldg. Portland, State of Oregon 97201, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Fork Alsea River a tributary of Alsea River for the purpose of irrigation of 30.0 acres under Permit No. 14920 of the State Engineer, 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 May 5, 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 0.20 cubic foot per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 18, Township 14 South, Range 7 West, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ w/in Fudge DLC 38
1800 ft S & 2900 ft E. from the NW Cor of Fudge DLC 43

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:

- ⑤ 1.2 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Fudge DLC #38
13.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Fudge DLC #38
12.9 acres Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
0.1 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Fudge DLC #38
1.7 acres Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)

Section 18

Township 14 South, Range 7 West, W.M.

- ① 0.5 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Fudge DLC #43
Section 13

Township 14 South, Range 8 West, W.M.

This certificate is issued to confirm a change in Pt. of Div. approved by an order of the State Engineer entered Feb 22, 1971, and supersedes certificate of water right issued to John Newman and recorded at page 24389, Volume 17, State Record of Water Right Certificates.

LEWIS W. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 24389

STATE OF OREGON

COUNTY OF BENTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Bruce L. Engel
~~JOHN NEWMAN~~
 of 680 Blue Cross Bldg. Portland, State of Oregon 97201, has made proof
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
 South Fork Alsea River
 a tributary of Alsea River for the purpose of
 irrigation of 6.0 acres
 under Permit No. 17341 of the State Engineer, 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 September 6, 1946,

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
 0.08 cubic foot per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream.
 The point of diversion is located in the Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 18, Township 14 South,
 Range 7 West, W.M. NW $\frac{1}{4}$ NW $\frac{1}{4}$ w/in Fudge DLC 38

1800 ft. S. & 2900 ft. E. from the NW. Cor. of Fudge DLC 43

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:

- ② 4.6 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Fudge DLC #38
 Section 18
 Township 14 South, Range 7 West, W.M.
- ① 1.4 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Fudge DLC #43
 Section 13
 Township 14 South, Range 8 West, W.M.

This certificate is issued to confirm a change in Pt. of Div. approved by an order
 of the State Engineer entered Feb 22, 1971, and supersedes certificate of water
 right issued to John Newman and recorded at page 24390, Volume 17,
 State Record of Water Right Certificates.