

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That BURR SMITHERS
of Union, 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
Catherine Creek
a tributary of Grande Ronde River for the purpose of
Supplemental irrigation
under Permit No. 11613 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 March 19, 1935;

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
0.25 cubic foot per second measured at the point of diversion from the stream,

or its equivalent in case of rotation.
The point of diversion is located in the NE₁NE₁, Section 19, Township 4 South, Range
40 East, W. M.

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, shall not exceed three acre feet per acre throughout the irrigation season,

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:

20 acres in the N₂NE₁NE₁,
Section 7,
Township 4 South, Range 40 East, W. M.

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

After the expiration of fifty years from the date of this certificate or on the expiration of
any federal power license issued in connection with this right, and after not less than two years'
notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have
the right to take over the dams, plants and other structures and all appurtenances thereto which
have been constructed for the purpose of devoting to beneficial use the water rights specified
herein, upon condition that before taking possession the State or municipality shall pay not to
exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable,
serviceable and dependable property of the holder of this certificate, not taken over, as may be
caused by the severance therefrom of the property taken in accordance with the provisions of section
47-508, Oregon Code 1930.

WITNESS the signature of the State Engineer, affixed

this 31st day of May, 1935.

CHAS. E. SPRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 10, page 11179