

STATE OF OREGON  
COUNTY OF WASHINGTON  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** HARRY M. NILES  
of 2044 N. Emerson St., 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  
Murtough Creek  
a tributary of Dairy Creek for the purpose of  
domestic use  
under Permit No. 12891 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 December 1, 1937;

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  
0.05 c.f.s. measured at the point of diversion from the stream,

or its equivalent in case of rotation.  
The point of diversion is located in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 5, Township 2 North, Range  
3 West, 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 \_\_\_\_\_ of one cubic foot per second  
per acre,

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:

NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 4  
Township 2 North, Range 3 West., 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 con-  
structed 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 prop-  
erty 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 January, 1939

CHAS. E. STRICKLAND  
State Engineer

Recorded in State Record of Water Right Certificates, Volume 11, page 12208