

## STATE OF OREGON

COUNTY OF UMATILLA

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That MRS. FRANK PHELPS

of Burton, State of Washington, has a right to the use of  
the waters of Tumalum River  
for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 9; that the priority of the right thereby confirmed dates from 1900;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one and one-half miner's inches per acre measured at the point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

3 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 1.

T. 5 N., R. 35 E. W. M., being within the following described tract: Commencing at a point on the north line of Sec. 1, T. 5 N., R. 35 E. W. M., distant 23.25 rods east of the northwest corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Sec. 1; running thence west 23.25 rods to said northwest corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Sec. 1; thence south along the west line of the E $\frac{1}{2}$  of said NW $\frac{1}{4}$  of Sec. 1, 81 rods more or less to the OR&N Co.'s right of way; thence northeasterly along said right of way 51 rods; thence northwesterly 58.5 rods to the place of beginning, containing 16 acres, more or less, SUBJECT, however, to the right of way for an irrigation ditch 3 ft. wide known as "The Loundigan Irrigation Co.'s Ditch" from a point on the west bank of the Tumalum River, 200 ft. above the OR&N railroad bridge, running thence northerly passing under the trestle work of said bridge to the land herein conveyed; RESERVING from this conveyance the following described tract of land, to-wit: Commencing at the southeasterly corner of the tract of land hereinbefore first described; thence running southwesterly along the right of way of the said OR&N CO. to the said Loundigan Irrigation Co. Ditch; thence northwesterly along said right of way to the southerly line of the right of way of the Milton-Freewater & Hudson Bay Irrigation Co. Ditch hereinafter described; thence easterly along the said southerly line of said right of way to the easterly line of the premises first hereinbefore described; thence southerly along said easterly line to the point of beginning.

AND said right shall be subject to all other conditions and limitations contained in said decree.

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

WITNESS the signature of the State Engineer,

affixed this 5th day

of April, 1940.

CHAS. E. STRICKLIN

State Engineer.