

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. O. FARR

of Route 3, Salem, State of Oregon, has a right to the use of

the waters of unnamed stream, the source of which is two springs rising within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 9 S., R. 3 W., W. M. for the purpose of irrigation, domestic and stock

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Marion County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 14, at page 350; that the priority of the right thereby confirmed dates from 1894.

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 see note

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:

Beginning at a point on the south line of the Joseph Cox D.L.C. No. 38 in Section 5, Township 9 South, Range 3 West of the Willamette Meridian where the same intersects the Easterly line of the right of way of the Oregon Electric Railway; thence running north 60°26' East along the said south line of the said Joseph Cox D.L.C.; to a point where the same intersects the east line of said section 5; thence north along the said east line of said Section 5, 29.84 chains to the northeast corner of said Section 5; thence westerly along the north line of said section 5, to a point thereon 608.22 feet east of the quarter section corner on the said north line of said section 5; thence south 9°12' East 529.74 feet to a point; thence south 52°42' West 281.86 feet to a point; thence south 38°42' West 383 feet to a point; thence south 9°12' West 560 feet more or less to a point on a line running south 60°26' West from a point on the east line of said section 5, 84 links south of the northeast corner thereof; thence running south 60°26' West along said line to a point on the east line of the right of way of the Oregon Electric Railway; thence south along the said easterly line of said railroad right of way to the place of beginning, together with a right of way for a roadway one rod wide and along a southwesterly extension of the center line of the present county road running along the south line of the said Joseph Cox D.L.C. No. 38, said right of way to extend from the said county road to the Willamette River; saving and excepting from said tract, one half acre of ground deeded to School District No. 37 Marion County Oregon for a cemetery and burial place; which deed is recorded in book 21 of the deed records of Marion County, State of Oregon, on page 162, thereof and also saving and excepting therefrom an additional half acre of ground lying directly east of and adjoining the same which is to be also used for cemetery and burial purposes, which deed is recorded in book 147 page 575 of the deed records of Marion County, State of Oregon. All the above land situate in Marion County, State of Oregon.

Note:

J. O. Farr, is hereby granted the right to the use of 12.0 gallons of water per minute, for a period not to exceed 16.0 hours in any one day, and not exceeding a total of 0.96 acre-foot during any calendar month from the spring at the head of the unnamed stream rising near the northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5, Township 9 South, Range 3 West, W. M., and storage reservoir described herein, for the irrigation of 3.6 acres of land with a date of priority of 1894. He is also allowed a right to the use of 4.4 gallons per minute from said spring and reservoir for domestic use in his residence and for watering stock, with a date of priority of 1894. The total quantity of water to which he is entitled to divert during any irrigation season for the irrigation of 3.6 acres of land, as described herein, shall not exceed 3.6 acre-feet.

It is further provided that J. O. Farr shall have the right, subject to the maximum rate of use, time of use, and quantity to be used during any calendar month and irrigation season as fixed herein, to use water as allowed herein for the irrigation of a smaller area provided that the quantity does not exceed 1.5 acre-feet per acre during any calendar month and two acre-feet per acre during any irrigation season.

The water allowed to J. O. Farr shall be diverted and conveyed in a pipe line as has been the practice and he, his heirs and successors in interest shall operate and maintain the pipe line and reservoir so as to prevent all waste and when water is not being used the water from the reservoir shall be returned to the stream at the reservoir. The period of time for the use of water for irrigation shall not include the time necessary to fill the reservoir with a capacity not exceeding 686.1 gallons.

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 the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 3rd day of May, 19 45

CHAS. E. STRICKLIN

State Engineer