

## STATE OF OREGON

COUNTY OF MARION

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That **Ella W. Ware**of **Stayton**, State of **Oregon**, has a right to the use ofthe waters of **Zumwalt Creek for Irrigation; Spring for Irrigation, Domestic and stock; Four Springs for stock;**for the purpose of **Irrigation from Zumwalt Creek; Irrigation, Domestic and stock from Spring; and stock from Four Springs;**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 **354**; that the priority of the right thereby confirmed dates from **1878**.

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 **11** gallons per minute from spring, and shall be subject to the provisions of Paragraph **165** of said decree from **Zumwalt Creek and Four springs**.

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:

Place of use for irrigation from **Zumwalt Creek;** **6.0** acres in **NE $\frac{1}{4}$  SW $\frac{1}{4}$**   
and irrigation, domestic and stock from **Spring;** **8.0** acres in **NW $\frac{1}{4}$  SE $\frac{1}{4}$**   
Sec. **7**,  
Tp. **9 S.**, R. **1 E.**, W. **M.**

Place of use for stock from **Four springs;** **NW $\frac{1}{4}$** , Sec. **7**,  
Tp. **9 S.**, R. **1 E.**, W. **M.**

The above-irrigated lands and the place of use for stock are within the following-described tract: Commencing at a stake 32 chains and  $1\frac{1}{2}$  links west of the northeast corner of **Henry Zumwalt and wife's donation land claim;** thence west 23 chains to a post; thence north 5 chains 86 links to a post; thence west 39 chains 88 links to range line; thence south on range line 42 chains to a post; thence south  $86^{\circ}$  east 36 chains and 92 links to a post; thence north  $56^{\circ}$  east 10 chains to a large fir tree in center of state road; thence south  $70\frac{1}{2}^{\circ}$  east in center of state road 18 chains 36 links to a post; thence north 39 chains 88 links to the place of beginning 256.75 acres of land, more or less, excepting from the above or same 7.5 acres heretofore conveyed to **Juliana W. Burchard** and 43 acres heretofore conveyed to **Matilda A. Lake.**, leaving 206.25 acres conveyed by this conveyance and being in Sec. 7, Tp. 9 S., R. 1 E., W. M., Marion County, Oregon; reserving, however, to grantors herein the full and sole use and control during their natural life of about 21 acres in the southwestern part of the foregoing conveyed premises, the same having been and they are at present occupied by said grantors.

**Ella W. Ware** also has a right from **Zumwalt Creek** for stock use, priority and amount of water to be subject to the provisions of Paragraph **165** of said decree, on the above-described lands.

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 15th day of **May**, 19**46**.

**CHAS. E. STRICKLIN**

State Engineer

Recorded in State Record of Water Right Certificates, Volume **12**, page **14924**