

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WALTER T. & CECIL C. SMITH

of Aurora, 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 Willamette River a tributary of Columbia River for the purpose of Irrigation under Permit No. 14289 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 April 10, 1940

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 2.04 cubic feet per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, & SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, Township 3 South, Range 2 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 one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

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:

9.3 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
38.0 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
38.5 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
9.8 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
27.5 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 29
22.5 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
17.4 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 32
T. 3 S., R. 2 W., W.M.

Land on which water is to be used is a part of the property more explicitly described by appropriator as follows:

Beginning at an iron bar at a point 19.31 chains East and 1.81 chains North from the quarter section corner on the West line of Section 29, in Township 3 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; thence south along the center line of the County road 36.00 chains to an angle in the same; thence South 12° 20' East 6.00 chains to an iron bar in an angle in said road; thence South 44° 20' East in the center of said road 28.78 chains; thence North 45° East 25 chains to an iron rod; thence following up the Willamette River along the meanders of the same to a point in the center of the Newberg Bridge, the said point being the beginning point in the description of the tract of land allotted to John A. Gearin in the partition suit of Fred M. Gearin, John A. Gearin and Irene Gearin vs. Minnie C. Gearin, et al, in the Circuit Court of the State of Oregon for Marion County, and described in said decree of

partition as a point 10.62 chains North and 28.57 chains East of the Quarter Section corner between Sections 29 and 30, in Township 3 South, Range 2 West, Marion County, Oregon; thence South $41^{\circ} 10'$ West 13.00 chains to the place of beginning, containing about One Hundred Seventy-three (173) acres, more or less, of land in the Etienne Lucier Donation Land Claim, D.L.C. in T. 3 S., R. 2 W., W.M., save and except from the above described premises that certain tract of land described as follows:

Beginning at a point 1299.5 feet East and 422.3 feet South of the quarter section corner between Sections 29 and 30 in T. 3 S., R. 2 W. of the Willamette Meridian in Marion County, State of Oregon; and running thence West 25 feet; thence North 541.8 feet; thence N. 46 degrees 6 minutes E. 541.8 feet; thence S. $43^{\circ} 54$ minutes E. 25 feet; thence from tangent bearing S. 46 degrees 6 minutes W. on a 4 degree 35 minute curve to the left 1004.0 feet to the place of beginning, containing, in addition to what is already in the County Road, 0.83 acres of land, and which was conveyed by John M. Gearin to Marion County, Oregon, by deed dated June 3, 1927, recorded June 30, 1927, in Volume 193, Page 154, Deed Records of Marion County, State of Oregon;

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 , 1947 .

..... CHAS. E. STRICKLIN
State Engineer