

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That O. K. & ELLEN T. DEWITT

of Route 1, Box 153, Lyons, 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 Cherry Creek a tributary of North Santiam River for the purpose of irrigation, domestic for one family and fire protection under Permit No. 13951 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 July 31, 1939

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 0.085 cubic foot per second, being 0.045 c.f.s. for irrigation and 0.04 c.f.s. for domestic and fire protection,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 2 (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 22, Township 9 South, Range 2 East, 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:

3.6 acres in Lot 2 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
Domestic & fire protection in Lot 2 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 22
T. 9 S., R. 2 E., W. M.

Land on which water is to be used is a part of that more explicitly described by appropriator as follows: Beginning at a point in the middle of the North Santiam Highway and being 2.88 chains south 1° w. from the NW corner of Lot #2, Sec. 22, T 9 S. R 2 E; running thence S. 1° W 3.40 chains to the N. Fork of the Santiam River; thence S 75° 15' E 6.64 chains along the N. Fork of the Santiam River; thence S 76° E 13.25 chains along said river; thence N 27° 45' E 4.50 chains to the middle of the N. Santiam Highway; thence westerly following the middle of said Highway to the place of beginning, containing 7.68 acres. The portion of land described above lying between the center line and the south boundary of the North Santiam Highway is not included in the deeded land. The true acreage covered by the deed is 6.37 acres.

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 1st day of March, 1949.

CHAS. E. STRICKLIN

State Engineer