

STATE OF OREGON
COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PEARL PICKENS

of Route 1, Brooks, 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 Powers Creek a tributary of Abiqua Creek for the purpose of irrigation under Permit No. 14533 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 August 8, 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 0.15 cubic foot 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, Township 6 South, Range 1 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:

6.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Daniel B. Markham D.L.C.
6.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Daniel B. Markham D.L.C.
Section 33
Township 6 South, Range 1 East, W. M.

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

Beginning at the Northwest corner of the Donation Land Claim of Daniel B. Markham and wife in Township 6 South of Range 1 East of the Willamette Meridian, Marion County, Oregon, thence South 39.65 chains along said Markham's West line; thence East 28.80 chains to the Joseph Chamness East line; thence North 2° 15' West along said Chamness East line 8.05 chains; thence North 9° East 11.00 chains to the center of Abiqua Creek; thence meandering said Creek North 28° West 4.80 chains, thence North 32° West 2.51 chains, thence North 28° 30' West 5.90 chains, thence North 23° West 4.90 chains, thence North 36° West 5.40 chains to the section line between Sections 28 and 33, T. 6 S., R. 1 E.; thence leaving said Creek and running West on said Section line 17.40 chains to the place of beginning, and containing 103.50 acres of land, more or less, and situate in the Donation Land Claim of Daniel B. Markham and wife in Marion County, Oregon.

Except all roads and roadways, and excepting the lands described in the deed from Fred Ausmus and Ollie Ausmus, his wife to Silver Falls Timber Company, recorded in Volume 130, page 612, of the Marion County, Oregon, Records of Deeds, and except also right of way deeded by Geo. W. Hubbs and wife to the City of Silverton for water pipe line.

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, 19 49.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 15592