

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

This Is to Certify, That MRS. FRANK PHELPS

of Freewater, 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 Tumalum, Branch of Walla Walla River, a tributary of Columbia River for the purpose of irrigation under Permit No. 15279 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 May 20, 1942

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 0.113 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 $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, Township 5 North, Range 35 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 0.0375 of one cubic foot per second per acre, or its equivalent for each acre irrigated,

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:

3.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 1

T. 5 N., R. 35 E., W. M.

Land on which water is to be used is a part of the property more explicitly described by the appropriator as follows: Commencing at a point on the north line of Section One (1), in Township Five (5) North, of Range Thirty-five (35) E., W.M., distant twenty-three and one-fourth (23 $\frac{1}{4}$) rods east of the northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section One (1); running thence west twenty-three and one-fourth (23 $\frac{1}{4}$) rods to said northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section One (1); thence south along the west line of the East Half (E $\frac{1}{2}$) of said Northwest Quarter (NW $\frac{1}{4}$) of Section One (1) eighty-one (81) rods more or less to the O.R. & N. Company's right-of-way; thence northeasterly, along said right-of-way fifty-one (51) rods; thence northwesterly fifty-eight and one-half (58 $\frac{1}{2}$) rods, to the place of beginning, containing sixteen acres, more or less: S u b j e c t, however, to the right-of-way for an irrigating ditch three (3) feet wide, known as "The Loudagin Irrigation Company's Ditch", from a point on the west bank of the Tumalum River, two hundred (200) feet above the O. R. & N. Railroad bridge, running thence northealy, passing under the trestle work of said bridge to the land herein conveyed;

R e s e r v i n g from this conveyance the following described tract of land, to-wit:

Commencing at the southeasterly corner of the tract of land hereinbefore first described; thence running southwesterly along the right-of-way of the said O. R. & N. Company to the said right-of-way of the said "Loudagin Irrigation Company's Ditch"; thence northwesterly along said right-of-way to the southerly line of the right-of-way of the "Milton, Freewater and Hudson Bay Irrigation Company's Ditch", hereinafter

described; thence easterly, along said southerly line of said right-of-way to the easterly line of the premises first hereinbefore described; thence southeasterly along said easterly line to the point of beginning.

This Conveyance is also made a subject to the right-of-way and easement of the "Milton, Freewater and Hudson Irrigation Co.", a corporation, for a right-of-way for an irrigation ditch and canal twenty-five (25) feet wide on each side of the center line of said ditch and canal as now located and constructed over and across the said lands, hereinbefore conveyed.

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 30th day of December, 19 49.

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

Recorded in State Record of Water Right Certificates, Volume 13, page 16686