

Superseded by

Cert. No. 58648

Per. No.

Trs. Sp. Or. V. 22, p. 62

Trs. Sp. Or. V. 17, p. 491

Trs. Sp. Or. V. 19, p. 490

STATE OF OREGON  
COUNTY OF MARION

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** HENRY HOMANN

of Route 1, Box 72, Mt. Angel, 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 Butte Creek a tributary of Pudding River for the purpose of irrigation under Permit No. 15743 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 6, 1944

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 0.226 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 NE $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on William F. Eastham D.L.C. No. 63, Section 36, Township 5 South, Range 1 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:

8.7 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on William F. Eastham D.L.C. No. 63  
0.7 acre in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on William F. Eastham D.L.C. No. 63  
1.2 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on William F. Eastham D.L.C. No. 63  
7.5 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on William F. Eastham D.L.C. No. 63  
Section 36  
T. 5 S., R. 1 W., W. M.

Land on which water is to be used is a part of the property more explicitly described by the appropriator as follows: Beginning at an iron pipe in the S. E. line of the R. R. right of way at a point 35.31 chains N. 89 degrees and 45 minutes E. and 28.713 chains S. 17 minutes E. from the N. W. Corner of the Wm. F. Eastham D.L.C. #63 in T. 5 S., R. 1 W., of the Willamette Meridian in Marion County, Ore. thence N. 36 degrees and 41 minutes E. along said right of way 4.95 chains to a stone; thence N. 89 degrees and 26 minutes E. 29.98 chains to a stone; thence N. 28 degrees and 48 minutes W. in the County road 4.667 chains to a stone; thence N. 43 degrees and 35 minutes E. 9.30 chains to the center line of Butte Creek; thence S. 33 degrees E. up the center of said creek 2.70 chains; thence S. 87 degrees E. 1.30 chains; thence S. 51 degrees E. 4.90 chains; thence S. 4 degrees and 30 minutes W. 5.23 chains; thence leaving said creek and running S. 75 degrees and 21 minutes W. 9.43 chains to a stone in the center line of the County road; thence S. 29 degrees and 39 minutes E. along the center line of said road 15.14 chains to a stone; thence S. 89 degrees and 26 minutes W. along the line dividing the Eastham claim into N. and S. halves 41.58 chains to a stone; thence N. 17 minutes W. 11.48 chains to the point of beginning; containing 67.00 acres of land, part of the N. half of the Wm. F. Eastham D.L.C. #63, T. 5 S., R. 1 W. Marion County, 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 30th day of December, 19 49

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

Recorded in State Record of Water Right Certificates, Volume 13, page 16712