

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That G. A. SATHER

of 101 Grant St., Silverton, 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 Silver Creek a tributary of Pudding River for the purpose of irrigation under Permit No. 16703 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 November 27, 1945

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 0.37 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 and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34, as projected on Peter Cox D.L.C. No. 44; Township 6 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:

- 4.4 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Peter Cox D. L. C. No. 44
- 1.5 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Peter Cox D. L. C. No. 44
- 2.9 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Peter Cox D. L. C. No. 44
- 14.7 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Peter Cox D. L. C. No. 44
Section 33
- 5.5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Peter Cox D. L. C. No. 44
Section 34
T. 6 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: Commencing at the North West corner of a 2 17/100 acre tract of land deeded by T.D. Allen and wife to W.J. Jerman on the 13th day of October 1898, thence South 5.50 chains; thence South 82 degrees 15 minutes West 2.52 chains to T.D. Allen's South West corner; thence North on his West boundary 6.17 chains to the middle of the County road which is the extension of the street in Allen's Addition to the town of Silverton, thence South 82 degrees 10 minutes East 2.52 chains to the beginning and containing 1.46 acres more or less all in Township 6 South of Range 1 West of the Willamette Meridian, in Marion County, State of Oregon.

Commencing at the North West corner of Lot 21, in Allen's Addition to Silverton; thence North 3.74 $\frac{1}{2}$ chains; thence West 6.62 chains; thence South 7.59 chains to the middle of the County road; thence South 85° 38' East 6.01 chains; thence North 8° 12' East along the West boundary line of Lots 21 and 22, 4 chains, 34 7/10 links, to the place of beginning, containing 5 acres, more or less. Excepting therefrom 2.17 acres conveyed by W.J. Jerman and wife to T.D. Allen, on the 13 day of October, 1893, and recorded in Book 61 on Page 399 Record of Deeds for said County.

Commencing at a point 6.69 chains North 82° 10' West and 46 links North of the North West corner of Lot 21, in Allen's Addition to Silverton; thence South 5.25 chains;

thence North 85° 38' West 4.05 chains; thence North 5.50 chains; thence South 82° 10' East 4.08 chains to the place of beginning, containing 2.17 acres, more or less.

Commencing at the North West corner of a 64 acre tract of land conveyed by John Wolfard and wife to Benedict Phelps on the 2 day of March 1878, and recorded in Book 25 on page 118; thence South along the West line of said tract, 6.88 chains to the most Westerly Northwest corner of a 20 acre tract of land conveyed to Zella Davis; thence meandering about the center of the present channel of Silver Creek; North 38° 28' East 6.64 chains; thence North 79° 23' East 6.08 chains; thence South 53° 15' East 8.57 chains; thence South 6° 30' East 2.56 chains; thence South 84° 33' East 4.65 chains; thence leaving the Channel of said Silver Creek North 8° East 9.12 chains to a point in the center of County road; thence North 82° 15' West 4.17 chains; thence North 86° 15' West 9.00 chains; thence South 81° 15' West 9.97 chains to the place of beginning and containing 11 acres of land, more or less.

All of the above described land is situated in Township 6 South, Range 1 West of the Willamette Meridian in Marion County, Oregon.

Save and except from the above described land 2 acres sold by Albert Johnson and wife to Hans Thompson and described in Book 91 of Deed Records for Marion County, Oregon. Save and except from the above described land 2.31 acres sold by Andrew J. Johnson and wife to P.K. Miller, as described in Book 103 page 88 Record of Deeds for Marion County, Oregon.

Also save and except the land described in the deed given by Josephine Jacobson, widow and Christiane Jacobson, widow to Bernard Bittler and wife dated October 12th, 1931 and recorded October 26, 1931 in Vol. 211 Page 446 Deed Records.

Beginning at the Southwest corner of the Peter Cox Donation Land Claim #44 in Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; running thence North along the West line of said Donation Land Claim 22.50 chains to the center of the County Road; thence South 87° 24' East and 13½ chains to the Northwest corner of that certain tract of land conveyed to G.A. Sather and wife by deeds deeds recorded in Vol. 149, Page 562 and 583 Deed Records for Marion County, Oregon; thence South along the West line of said tract of land 18.30 chains, more or less, to the center of Silver Creek; thence South 39° 10' West 55 links along the center of Silver Creek; thence South 20° 45' West along the center of said Silver Creek, 5.97 chains, more or less, to the South line of said Peter Cox Donation Land Claim; thence West along the South line of said Donation Land Claim, 11.24 chains, more or less to the place of beginning.

Commencing at a point in the middle of the County Road leading from Silverton to Salem and North 88° 8' West 18.00 chains distant from the Northwest corner of a 5.00 acre tract of land deeded by Al Coolidge & Company to Henry Bock on the 30th day of June, 1903, deed to same being recorded in the Marion County, Oregon, Records of Deeds, Volume 83 at page 224; thence South 18.30 chains to a point in the middle of Silver Creek; thence North 88° 8' West 6.56 chains; thence North 18.30 chains to the middle of the aforesaid County Road; thence South 88° 8' East 6.56 chains to the beginning, containing 12.00 acres of land, more or less, and being a part of the Donation Land Claim of Peter Cox and wife in T. 6 S., R. 1 W. of the Willamette Meridian, 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 January, 19 50.

CHAS. E. STRICKLIN
State Engineer