

CANCELED

STATE OF OREGON  
COUNTY OF POLK

Trs. Sp. Or. V. 11 p. 12

# CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** C. BARENDRECHT

of Rickreall, 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 Rickreall Creek, a tributary of Willamette River, for the purpose of irrigation under Permit No. 13915 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 7, 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 0.38 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 $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected on Samuel Burch D.L.C. No. 47 Section 29, Township 7 South, Range 4 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:

- 19.8 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on Samuel Burch D.L.C. No. 47
- 8.5 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on Samuel Burch D.L.C. No. 47
- 1.7 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on Samuel Burch D.L.C. No. 47

Section 32

T. 7 S., R. 4 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: All that part of the following described premises lying north of that certain lane running westerly from the county road along the east side of said premises to the buildings on the premises, and all land lying west of the orchard and north of the fence running easterly and westerly, which divides the field containing the cemetery plot from the field adjoining on the south thereof, which property is a part of the farm belonging to the party of the first part situated in Polk County, State of Oregon, and bounded and described as follows, to wit:

Beginning at a point in the center of the county road leading from Dallas to Salem, 6.10 chains south from the Northwest corner of the Donation Land Claim of Samuel Burch and wife, Not. No. 100, Claim No. 47, in Township Seven South, Range four west of the Willamette Meridian in Polk County, Oregon; thence South 68.60 chains; thence east 50.74 chains; thence north 23.12 chains to the south boundary line of the rights-of-way of the Oregon and California Railway Company; thence north 82 degrees 15' east along said boundary line, 6.427 chains; thence north 46.42 chains to the center of said road leading from Dallas to Salem; thence north 85 degrees 17' west along the center of said road, 16.38 chains; thence south 85 degrees 43' west 40.91 chains to the place of beginning; save and except the following:

1. One acre, more or less, of said premises which is now under fence, used as a public cemetery, together with a perpetual right of way from said cemetery easterly to the public county road;
2. The right of way of the Salem-Falls City and Western R.R., aggregating a strip of land 80 feet wide over and across said premises;

3. Beginning at a point where the north line of said right of way of the Oregon and California Railroad intersects the west line of said Samuel Burch Donation Land Claim, running north 82 degrees and 5' east along line and 30 feet distant from center line of Salem branch of said railroad, for a distance of 285.9 feet, thence north 89 degrees 45' west 154.7 feet to a point on curve; thence on a curve to the right with a radius of 442.3 feet a distance of 132.3 feet to a point on the west line of said Burch D.L.C.; thence south on said line 60.2 feet to the place of beginning, containing .157 acres.

4. The right of way of Western Oregon Railroad Company as per deed dated May 6, 1879, recorded May 12, 1879, at page 292 of deeds in Book 12, records of Polk 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 30<sup>th</sup> day of January, 19 50

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 14, page 16849