

STATE OF OREGON  
COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That A. E. BRETTAUER

of Route 2, Woodburn, 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 Scoggin Creek a tributary of Tualatin River for the purpose of irrigation under Permit No. 16658 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 October 31, 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 1.62 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 NW $\frac{1}{4}$  NW $\frac{1}{4}$  and SW $\frac{1}{4}$  NW $\frac{1}{4}$  and SE $\frac{1}{4}$  NW $\frac{1}{4}$  and SW $\frac{1}{4}$  NE $\frac{1}{4}$  and SE $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46, Section 26, Township 1 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:

8.5 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46  
11.4 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46  
24.8 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46  
11.4 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46  
10.3 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46  
2.3 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46  
8.5 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46  
29.0 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46  
18.6 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46  
1.6 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46  
2.6 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected on Joseph Davis D.L.C. No. 46  
Section 26

T. 1 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: Beginning at a point on the line between the Joshua Dickson Claim No. 45, and the Joseph Davis Claim #46 in Section 26, T. 1 S., R. 4 W. Willamette Meridian, Washington County, Oregon, said point being the intersection of the west line of the Southern Pacific Company Railroad right of way and the north line of the Joseph Davis claim, said point being also 13.39 chains west of the northeast corner of said Davis Claim; thence West on said claim line 76.02 feet; thence north 22° east 3.24 chains; thence south 88° 40' West 546.02 feet; thence south 22° west 3.24 chains to a point on the north line of the Joseph Davis claim; thence west along the north line of the Davis claim to the center of the Tualatin Valley State Highway; thence southerly along the center line of said highway to the center of Scroggin Creek; thence easterly down the center line of scroggin Creek to its intersection with the west line of the Florence D. Bryant tract as described in book Q, page 503, Deed Records of Washington County, Oregon; thence south 2° 30' East 5 chains, more or less, to the southwest corner of the

Bryant tract; thence north 89° east 4.32 chains to the center of the Southern Pacific Company Railroad right-of-way; thence southerly along the center of said right of way to a point which is north 2° 30' West 916.97 feet and south 89° West 1586.39 feet from the southeast corner of the Joseph Davis D. L. C.: thence North 89° east 1586.39 feet to a point on the east line of the Joseph Davis D.L.C. thence north 2° 30' West along the east line of said Davis claim to the center of Scroggins Creek; thence west 50 links; thence north parallel with the east line of said Davis claim to the north line of said claim; thence west to the place of beginning.

Subject to an easement granted on Winnie Hoodenpyl for a pipe line and pumping site as described in book 187, page 147, deed records, Washington County, Oregon.

Excepting the rights of way of the Southern Pacific Company over and across the above described property.

*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 28th day of February, 19 50

CHAS. E. STRICKLIN  
State Engineer

Recorded in State Record of Water Right Certificates, Volume 11, page 17091