

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That EDWARD SPIERING

of Route 3, Hillsboro, 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 McKay Creek a tributary of Dairy Creek, tributary of Tualatin River, for the purpose of irrigation under Permit No. 13241 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 28, 1948

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 0.375 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 SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on John Johnson D.L.C. No. 70, Section 6, Township 1 North, Range 2 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,

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:

19.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Anderson Smith D.L.C. No. 64
0.9 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on John Johnson D.L.C. No. 70
21.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on John Johnson D.L.C. No. 70
2.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on John Johnson D.L.C. No. 70
15 - 28.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Anderson Smith D.L.C. No. 64
25.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Anderson Smith D.L.C. No. 64
4.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Anderson Smith D.L.C. No. 64
3.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on John Johnson D.L.C. No. 70
3.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected on Anderson Smith D.L.C. No. 64
Section 6
Township 1 North, Range 2 West, W. M.

Property on which water is to be used is to be used is a part of that more explicitly described by applicant as follows:

First Tract: That part of the Anderson Smith DIC#64, in T. 1N, R. 2W, W.M., bounded and described as follows: to wit: beg. at a point, 1.82 chs. N. 12°30' E. from the SE cor. of the John Johnson DIC#70, in T. 1N, R. 2W, W.M., running thence N. 12° E. 19.95 chs. to the SW cor. of George Bantz land, thence S. 89°30' E. 27.71 chs. to a post; thence S. 2° E. 18.83 chs., thence S. 89°15' W. 32.72 chs. to the place of beg., containing 57.84 acres, more or less.

Second Tract: That part of the John Johnson DIC #70 in T. 1N., R. 2W., and #75 in T. 1N, R. 2W, W.M., bounded and described as follows, to-wit: Beg. at the SE cor. of said DIC #70 running thence N 75°35' W 10.81 chs. to the SE COR. of a 4-acre tract conveyed to Chas. Walter by deed recorded on page 524, Book 76, records of deeds for Washington Co., Ore., thence by the following meanders up the center of McKay Cr. N 30+ E. 1.14 chs., thence N. 73° E. 2.70 chs., thence N. 23° E. 1.25 chs., thence N. 11° W. 1.75 chs., thence N. 12° E. 1.65 chs. to the NE cor. of a tract of six acres

sold to Chas. Walter, thence leaving said Cr. and on the N. line of said six-acre tract, N. 76°38' W. 13.75 chs. to the center of the Glencoe & Shadybrook wagon road, thence along the center of said road N. 26°20' E. 3.26 chs., thence along said road N. 32°15' E. 9 chs., thence S. 82°30' E. 11.85 chs. to the center of McKay Creek; thence following up said creek with the following meanderings, S 52°30' E. 1.60 chs., thence S 79° E. 0.80 chs., thence N. 55° E. 0.70 chs., thence N. 12° W. 0.90 chs., thence N. 41° W. 2.30 chs., thence N. 18° E. 2.80 chs., thence N. 9° E. 4.30 chs., thence N. 56° E. 1.40 chs., thence E. 2.51 chs. to the E boundary line of said DIC #70; thence leaving said creek S. 12° 30' W. 29.57 chs. to the place of beg., containing 34.07 acres, the total of both parcels being 91.91 acres, less a triangular piece in the SE cor. sold to railroad Company, containing one half acre, leaving 91.41 acres hereby conveyed.

Part of Section 6 and of the Anderson Smith DIC #64, T. 1N., R. 2 W., W.M., Washington County, Oregon, and of the tract conveyed to Nancy Johnson by deed recorded at Page 264 of Book Y, record of deeds for Washington Co., Ore.; beginning at the SE cor. of the John Johnson DIC #70 of said township, being re-entrant cor. of said Smith DIC; and running thence N. 13°03' E. 115.7 ft. to the N. boundary of said Nancy Johnson tract; thence N. 89°16' E. 1787.7 ft. to the intersection with the N. boundary of the tract conveyed to the United Railways Co. by deed recorded at page 365 of book 87 of said records; thence S. 72° 17' W. 1786 ft; thence following same on a curve to the right, 439 ft. to an iron pipe, 2" dia. thence N. 2°07' W. about 450 ft. to the center of McKay Cr., thence up-stream with the meanderings thereof about 130 ft. to intersection of the S. boundary of said Johnson DIC; and thence S. 75°12' E. 312 ft. to the place of beginning, containing 15.25 acres,
ALSO:

Beginning at the SW cor. of the above described tract and running thence along the W boundary thereof, N. 0° 07' W. 591.7 ft. to the NW cor. thereof; thence N 72°17' E along the RR tract, 315 ft. to the E side of the crossing now in use; thence S. 17°43' E. 20 feet; thence S 72°17' W. 300 ft., thence S. 0°07' E. 576.7 feet; thence S 89°57' W. 20 feet to the place of beginning.

Part of Sec. 6, and of the Anderson Smith DIC #64, of T. 1N., R. 2W., W.M., Washington Co., Ore., and of the tract conveyed to Nancy Johnson by deed recorded at Page 264 of Book "Y", Records of Deeds for said County; beginning at the SW cor. of the tract allotted to the heirs of Albert & Edith Hall, from which the SE cor. of said Smith DIC bears N. 89°57' E. 2214.2 ft. dist., & running thence S. 89°57' W. 712.6 ft. to the SE cor. of the tract allotted to Ida Bellinger, thence N. 2°07' W. 591.7 ft. to NE cor. of same, on the S boundary of the tract conveyed to the United Railways Co., by deed recorded at Page 365 of Book 87 of said records, thence N. 72° 17' E. 739.9 ft. to the NW cor. of the tract allotted to said Halls, and thence S. 2° 07' E. 814.3 ft. to the place of beg., containing 11.61 acres. EXCEPT, however, the following described tract to-wit:

Beg. at the SW cor. of the above des. tract and running thence along the west boundary thereof of N 0°07' W 591.7 ft. to the NW cor., thereof, thence N 72°17' E. along the RR tract, 315 ft. to the E side of the crossing, now in use, thence S. 17° 43' E. 20 ft., thence S 72°17' W. 300 ft., thence S 0°07' E 576.7 ft., and thence S. 89°57' W. 20 ft. to the place of beginning.

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 31st day of March, 1953

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 14, page 20032