

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That CLIFFORD R. NYBAKKE

of Route 1, Box 43, Hubbard, 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 Pudding River a tributary of Molalla River for the purpose of irrigation under Permit No. 19193 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 January 24, 1950

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 0.22 cubic foot per second,

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 J. Bonney D.L.C. No. 53, Section 36, Township 4 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:

9.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on J. Bonney D.L.C. No. 53
7.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on J. Bonney D.L.C. No. 53
Section 36
Township 4 South, Range 1 West, W. M.

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

Beginning on the South line of the Jarius Bonney Donation Land Claim No. 53 in Township 4 South, Range 1 West of the Willamette Meridian at a point that is 51 rods West of the Southeast corner of said Donation Land Claim, said beginning point being the Southwest corner of 16.00 acres conveyed to L. W. Pulley, et al by deed recorded September 14, 1938 in Vol. 233, Page 493, Deed Records for Marion County, Oregon; thence West along the South line of said Donation Land Claim, 74 $\frac{1}{2}$ rods, more or less, to the Southeast corner of Lot Ten (10) of the Plan showing the Subdivision of the land of T. L. Bonney, Marion County, Oregon, (See Vol. 4, Page 7, Record of Town Plats for said County and State); thence North along the East line of said Lot, 2.97 chains to an angle in said line; thence North 30°30' East along the Easterly line of said Lot Ten (10) and of Lot Eight (8), in said Subdivision, 10.82 chains, more or less to the most Easterly Northeast corner of Lot Eight (8) in said subdivision, which is also the intersection of the South bank of Pudding River with the South line of land conveyed to Andrew Sanders by deed recorded February 21, 1885 in Vol. 29, 332, Deed Records for said County and State; thence Easterly along the Southerly bank of said Pudding River to the West line of land conveyed to J. B. Dimick by deed recorded July 12, 1890 in Vol. 42, Page 1, Deed Records for said County and State; thence South along the West line of said Dimick land about 55 rods, to the place of beginning; containing about 25 acres of land, more or less. Save and except $\frac{1}{2}$ acre conveyed to Marion County by deed recorded November 17, 1906 in Vol. 94, Page 603, Deed Records for Marion County, Oregon.

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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 29th day of May, 19 53.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 14, page 20111