

## STATE OF OREGON

COUNTY OF BENTON

## CERTIFICATE OF WATER RIGHT

CANCELED

**This Is To Certify, That BEN AND MARY GOOCH**

of Route 2, Box 64, Philomath, State of Oregon <sup>97370</sup>, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Fork Mary's River (Greasy Creek) a tributary of Willamette River for the purpose of irrigation under Permit No. 14311 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 23, 1940

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 0.35 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 $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 29, Township 12 South, Range 6 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:

2.6 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$   
 14.2 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 29  
 5.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$   
 6.6 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$   
 Section 32

Township 12 South, Range 6 West, W. M.

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

All that part of the South half of the North Half of the Southeast Quarter of Section Twenty-nine, Township Twelve South, Range Six West of the Willamette Meridian, in Benton County, Oregon, described as follows: Beginning at a point in the center of the county road leading from Philomath to Alsea Valley on North line of Donation Land Claim of Charles Wells and wife, Township Twelve South, Range Six West of the Willamette Meridian, thence North 39° East 6.70 chains to a white oak tree 24 inches in diameter (in 1876), thence South 48° East 8.00 chains, thence North 89° 20' West 10.20 chains to the place of beginning.

Also, the Donation Land Claim of Charles Wells and Elizabeth H. Wells, his wife, in Sections Twenty-eight, Twenty-nine, Thirty-two and Thirty-three, Township Twelve South, Range Six West of the Willamette Meridian, in Benton County, Oregon, excepting the following described tracts, to-wit:

Beginning at the Southeast corner of the Northwest Quarter of the Northwest Quarter of Section Thirty-two, Township Twelve South, Range Six West of the Willamette

77084

Meridian, in Benton County, Oregon, and running thence East 12.30 chains, North 46° West 17.00 chains, thence South 11.57 chains to the place of beginning; and also except the following:

Beginning in the center of County road leading from Philomath to Alsea on north line of said Wells Donation Land Claim, thence North 89° 20' West 14.00 chains to a point 73 links west of a dead fir tree, thence South 38° East 3.50 chains, North 78° East 12.00 chains to the place of beginning.

Also except tract lying South of County Road #612 more particularly described as follows: Beginning at 3/4" pipe, the legal subdivision corner, 1327.26 feet (20.11 chains) South 0° 12' West of the Northeast corner of Section Thirty-two, Township Twelve South, Range Six West of the Willamette Meridian, in Benton County, Oregon, and running thence North 89° 18' West along the legal subdivision line 2687.6 feet to a 3/4" pipe, the legal subdivision corner, and continuing North 89° 18' West 17.9 feet to a point 20 chains South 89° 18' East of the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section Thirty-two, thence South 138.6 feet (2.10 chains), thence North 70° West 316.8 feet (4.80 chains) thence South 68° West 116.82 feet (1.77 chains), thence North 51° 51' West 129.87 feet to a point on the legal subdivision line 811.8 feet (12.30 chains) South 89° 18' East along said line from the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section Thirty-two, thence N. 46° W. 284.07 feet to the Southerly line of the County road, thence along the Southerly line of said County road in a Southeasterly direction on a 984.93 foot radius curve to the left a distance of 504.97 feet to the point of tangent, the long chord of which is South 74° 16' East 499.46 feet, thence continuing along the South line of said road South 88° 57' East 1237.46 feet, thence on a 984.93 foot radius curve to the left a distance of 410.42 feet, thence North 67° 10 1/2' East 102.0 feet, thence on a 924.93 foot radius curve to the right 686.48 feet, thence South 70° 18' East 632.71 feet to the legal subdivision line, thence West along said line 61.45 feet to the place of beginning.

Also except all that part of said Donation Land Claim lying Westerly of the Corvallis-Waldport State Highway, same being included within the boundaries of tract described as follows: Beginning at the Northwest corner of said Wells Claim, which is the Northwest corner of the Southeast Quarter of the Southwest Quarter of Section Twenty-nine, Township Twelve South, Range Six West of the Willamette Meridian, in Benton County, Oregon; running thence South along the West line of claim and legal subdivision line 19.083 chains to a point 21.07 chains North of the Southeast corner of the Northwest Quarter of the Northwest Quarter of Section Thirty-two, said Township and Range, which point is the North corner of land described in deed recorded in Book L, Page 140, first description, Deed Records of Benton County, Oregon; thence along the lines of said land, South 16° West 7.70 chains, South 46° East 3.00 chains and about South 86° West .30 of a chain to the North corner of land described in deed recorded in Book L, Page 137, said Deed Records; thence South 46° 07' East along the line of last said land 2.443 chains, more or less, to the Northwesterly line of Corvallis-Alsea Highway, thence along the Northwesterly line of said Highway North 47° 44' East 33.185 chains to a curve, thence on a 915 foot radius curve to the left 7.202 chains and North 17° 58' East .4 of a chain, more or less, to the South line of land described in the deed recorded in Book 99, page 36, said Deed Records; thence along the lines of said last mentioned land South 78° West 8.47 chains, more or less, to its South corner, thence North 38° West 3.50 chains to the Southwest corner of same and North along West line of said land .22 of a chain, more or less, to the North line of said claim, thence North 89° West along said claim line 19.50 chains, more or less, to the place of beginning.

Subject to rights of way for roads as same may now exist over and across said 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 30th day of April, 1954.

CHAS. E. STRICKLIN

State Engineer

CANCELED

Recorded in State Record of Water Right Certificates, Volume 15, page 20366

Sp. Or. V. 43 P. 239

Superseded by  
Cert. No. 68385 & 84421