

STATE OF OREGON
COUNTY OF _____
CERTIFICATE OF WATER RIGHT

This Is To Certify, That FRED ZURBRUGG

of Route 3, Box 172 B, Silverton, 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 Drift Creek a tributary of Pudding River for the purpose of irrigation under Permit No. 17702 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 1, 1947

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 0.23 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 NE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within J. M. Blackerby D.L.C., Section 9, Township 7 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:

9.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within J. M. Blackerby D.L.C.
8.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within J. M. Blackerby D.L.C.
Section 9
Township 7 South, Range 1 West, W. M.

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

Beginning at a point 20 feet South of the Northwest corner of the land owned by T. R. Blackerby, this point being North 89° 27' West distant 471.9 feet from a point 20 feet South of the intersection of the North boundary of the J. M. Blackerby and Casandria Blackerby Donation Land Claim and the North and South line dividing said Claim into East and West halves; thence North 89° 27' West parallel to the North boundary of the aforesaid Donation Land Claim 1093.00 feet to a point 20 feet South of the North line of said Donation Land Claim; thence South 2396.2 feet to the North line of Leonard's land; thence East along said line 1093.00 feet to the Southwest corner of T. R. Blackerby's land; thence North along the West line of said land 2385.7 feet to the place of beginning and containing 60.00 acres of land more or less, and situated in Township 7, South, Range 1 West of the Willamette Meridian in Marion County, State of Oregon.

Save and except from the above described 60.00 acre tract of land, the following described premises to-wit: Commencing at the Northwest corner of a 60.00 acre tract of land conveyed by S. Kaiser to V. L. Brunner on the 5th day of November, 1900, deed of the same being recorded in Marion County records, Book of Deeds, Volume 82, Page 42; thence South 36.30 chains; thence East 1.65 chains; thence North 36.30 chains; thence West 1.65 chains to the place of beginning and containing 6.00 acres of land, more or less, and situated in T. 7 S., R. 1 W., Willamette Meridian, Marion County, State of Oregon.

Also, excepting from the above described 60.00 acre tract of land, a certain 30.00 acre tract of land heretofore conveyed by Jacob Zurcher and Anna Zurcher to Walter Von Flue by Deed dated the 9th day of November, 1917, and recorded in said Marion County, Oregon, Book of Deeds, Volume 144, Page 525.

Commencing at a point which is the Northeast corner of a six acre tract of land conveyed by V. L. Brunner and Emma Brunner, his wife, to Christian Siegfried on the 10th day of August 1903, by a deed recorded in Marion County Records of Deeds, Volume 80, at page 551, on the 19th day of August, 1903, which said point is also North 89° 27' West 22.06 chains from a point 20 feet South of the intersection of the North boundary line of the J. M. Blackerby and Cassandra Blackerby Donation Land Claim. and the North and South line dividing said claim into East and West halves; running thence South 36.30 chains more or less to the North line of what is known as Leonard's land; thence East along said Leonard's North line 8.26 chains more or less to a point; thence North 36.30 chains more or less parallel with said Siegfried's East line to a point 20 feet South of the North boundary line of the said Donation Land Claim; thence North 89° 27' West 8.26 chains more or less to the place of beginning, containing 30 acres of land more or less in said county and State.

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 May, 1954.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 15, page 20476