

STATE OF OREGON
COUNTY OF BENTON
CERTIFICATE OF WATER RIGHT

This Is To Certify, That LYNN O. KERLEE

of Route 1, Box 47, Monroe, 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 Hammer Creek, tributary of Muddy Creek, a tributary of Mary's River for the purpose of irrigation under Permit No. 20118 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 February 16, 1951

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 0.08 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 $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within J. Hammer D.L.C. No. 48, Section 27, Township 14 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:

0.4 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within J. Hammer D.L.C. No. 48
6.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within J. Hammer D.L.C. No. 48
Section 27
Township 14, 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:
Beginning at the northwest corner of the Nichols Donation Land Claim, Township 14 south Range 6 West of Willamette Meridian and running south 89° 31' west 13.518 chains to a 3/4" pipe which is the interior corner of Jacob Hammer Donation Land Claim No. 48; thence south 14' west 5.423 chains to a 1/2" pipe which is the south-east corner of all of Jacob Hammer Claim No. 48; thence north 89° 53' west 4.673 chains to a 3/4" steel rod; thence north 09' west 24.292 chains to a casting which is at the south side of the right of way of Southern Pacific Railroad, formerly the C. & A. Railroad; thence north 53° 15' east 7.302 chains along the south side of said right of way; thence North 58° 32' east 7.880 chains along the south side of said right of way with a curve whose middle ordinate is .185 chains; thence north 63° 50' east 17.313 chains along the south side of said right of way; thence north 76° 24' east 8.393 chains to a 3" x 8" x 8" stone placed at the south side of said right of way; this curve has a middle ordinate of .430 thence south .09' east 36.733 chains to an oak stake on the south line of said Jacob Hammer D.L.C. No. 48; thence south 89° 41' west 18.044 chains to a 3/4" pipe the place of beginning, containing 109.724 acres, EXCEPTING therefrom 19.75 acres heretofore sold to Beatrice Skinner and Frank Skinner, by deed dated Mar. 3, 1920, and recorded in Book 67 of Deeds, Page 168, Records of Benton County, and except public roads.

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 June , 1954.

CHAS. E. STRICKLIH

State Engineer