

## STATE OF OREGON

COUNTY OF

WASHINGTON

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That**                      ARTHUR J. BERRY

of P. O. Box 5075, Portland                      , State of Oregon, 97208                      , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Tualatin River

a tributary of Willamette River                      for the purpose of irrigation of 30.0 acres

under Permit No. 17752                      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 May 16, 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 0.375 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 NW $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within abandoned B. F. Copenhaver DLC 48, Section 36, T. 1 S., R. 4 W., W. M., 800 feet South and 1300 feet East from the NW Corner, Section 36

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:

SEE NEXT PAGE

2.8 acres Lot 7 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ )

0.8 acre Lot 6 (SE $\frac{1}{4}$  NE $\frac{1}{4}$ )

Section 35

22.2 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$

2.8 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$

1.4 acres Lot 13 (NE $\frac{1}{4}$  NW $\frac{1}{4}$ )

Section 36

All as projected within Abandoned B. F. Copenhaver DLC 48

T. 1 S., R. 4 W., W. M.

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

Commencing at the NW Corner of Section 36, Township 1 South, Range 4 West, W.M., and running thence East 40 chains to quarter section corner; thence South 40 chains to  $\frac{1}{4}$  section corner; thence West on  $\frac{1}{4}$  section line 43 chains to the West line of the DLC of M. Copenhaver; thence North on said line 30.50 chains more or less to center of lane leading to County Road; thence East 4.60 chains more or less to section line; thence North 9.50 chains more or less to the place of beginning, EXCEPTING THEREFROM the following described tract: Beginning at the center of Section 36, Township 1 South, Range 4 West, W.M., Washington County, Oregon, running thence North 0 degrees 20 minutes West along the line between the NE $\frac{1}{4}$  and the NW $\frac{1}{4}$  of Section 36, 1097.7 feet, thence North 89 degrees 52 minutes West parallel with the North line of Section 36, 2923.8 feet to the East line of the Donald McLeod DLC No. 59, Township 1 South, Range 4 West, W.M., thence South 2 degrees 47 minutes East along the East line of said McLeod DLC, 540.1 feet to an iron pipe; thence South 88 degrees 30 minutes West 568.6 feet; thence South 7 degrees East 1372.8 feet to the center of Tualatin River, thence down the center of said river with the meanderings thereof, 700 feet, more or less, to the East line of said McLeod DLC, thence North 2 degrees 47 minutes West 20 feet to a point on the North bank of said River; thence down the said river bank South 86 degrees 30 minutes East 96.8 feet, thence North 65 degrees East 46.9 feet, thence North 35 degrees 30 minutes East 26.0 feet; thence North 18 degrees East 77.4 feet; thence North 65 degrees 15 minutes East 72.6 feet, thence South 85 degrees 15 minutes East 104.3 feet; thence North 62 degrees East 44.2 feet, thence North 21 degrees East 583.4 feet to the south line of the NW $\frac{1}{4}$  of Section 36; thence South 89 degrees 33 minutes East 2107.2 feet to the place of beginning.


This certificate is issued to supersede certificate of water right recorded on page 19983, Volume 14, State Record of Water Right Certificates, so as to correctly describe the place of use.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.*

WITNESS the signature of the Water Resources Director, affixed

this date. July 7, 1978

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 38 , page 46108