

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That **LEON W. CURTISS & DELANEY P. KETCHUM**

of **The Dalles,** 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 **An unnamed spring** a tributary of **Eight Mile Creek** for the purpose of **Irrigation**

under Permit No. **7712** 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 **December 16, 1926;**

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 **0.19 cubic foot per second;**

The point of diversion is located in the **NE 1/4** of Section **3**, Township **1 N**, Range **14 E**, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: **1.35 acres in the NE 1/4, 3.9 acres in the SE 1/4, 5 acres in the SE 1/4, and 5 acres in the SW 1/4, Section 4, Township 1 North, Range 14 East, Willamette Meridian, in Wasco County, Oregon.** *Cancellation of 10 acres*

The right hereby confirmed is further limited in accordance with a stipulation between Leon W. Curtiss and Delaney P. Ketchum filed in the office of the State Engineer on November 1, 1926, and recorded in the Miscellaneous Records of the State Engineer, Volume 2, Pages 331 and 332. The said Leon W. Curtiss shall have the right to use the entire flow of said spring or such part thereof as may be necessary to furnish the quantity of water granted for his said lands by Permit No. 7712, during the months of June, July, August and September of each year or a similar period of four months which may be determined by the Watermaster as the irrigation season for the purposes of carrying out this stipulation. During the remaining eight months of each year, Alice H. Ketchum, widow of Delaney P. Ketchum, shall have exclusive right to the use of the waters of said spring insofar as such waters may be necessary to supply the rights under Permit No. 7712. Said stipulation and this special limitation thereunder shall be effective only as between the parties to said stipulation, and their successors and/or assigns.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.

Obvious typographic errors in entering vol. number & year of issuance on pages 8965 to 9037 inclusive of this Vol. 8, were corrected Jan. 4, 1952 by verbal order of Chas. E. Stricklin, State Eng'r., by striking out the figure 2 designating the volume number and inserting the figure 8, and by striking and inserting figures as required to make the number denoting the year of issuance, legible and correct.

WITNESS the signature of the State Engineer,

affixed this **7th** day of **March**, **19**

CHAS. E. STRICKLIN State Engineer.