

STATE OF OREGON
COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

This is to Certify, That PACIFIC FRUIT EXPRESS COMPANY

68.P. Building, San Francisco, State of CALIFORNIA, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of The North Powder River, tributary of Powder River, and the Fall Race of North Powder Milling and Mercantile Company, tributary of North Powder River, a tributary of filling ponds for making natural ice for the purpose of

under Permit No. 3636 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 7, 1917

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 9.0 cubic feet per second

NW ¹ SE ¹	22	6 S	33 E
SW ¹ SW ¹	22	6 S	33 E

The point of diversion is located in the NE¹ of Section 26, Township 6S, Range 33E, 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: The Southwest quarter of Section Twenty-two and Northwest quarter of Section Twenty-seven, Township Six South, Range Thirty-nine East of Willamette Meridian, in Union County, Oregon.

This certificate is to correct and supersede that certain water right certificate issued on August 15, 1920, and recorded in the State Record of Water Right Certificates in Volume 4, Page 2731, in order to show correctly the place of use in Township Six South, Range Thirty-Nine East, instead of Township Six South, Range Twenty-nine East, as said place of use was erroneously described in the original certificate, and this certificate is also to confirm a change in point of diversion of water in accordance with an order of the State Engineer entered on the 11th day of December, 1931.

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 thereon 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 5723, Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this Seventeenth day

of December 17, 1931

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, page 9465