

STATE OF OREGON  
COUNTY OF COOS  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** GUY A. SMITH  
of Route 2, Marshfield, 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 Second Creek for the purpose of  
domestic use, fire protection and irrigation  
under Permit No. 11456 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 October 5, 1954;

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  
0.02 c.f.s., being 0.005 c.f.s. for domestic use and fire protection, and 0.015  
c.f.s. for irrigation, measured at the point of diversion from the stream

or its equivalent in case of rotation.  
The point of diversion is located in the Euphrates J. Foley D.L.C. No. 40 (NW $\frac{1}{4}$  NE $\frac{1}{4}$ )  
Section 30, Township 25 South, Range 13 West.

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  
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:

1.2 acres and domestic use and fire protection  
in Euphrates J. Foley D. L. C. No. 40 (NW $\frac{1}{4}$  NE $\frac{1}{4}$ )  
Section 30, Township 25 South, Range 13 West, W. M.

The right to the use of the water for the purposes aforesaid 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 con-  
structed 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 prop-  
erty 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 47-508, Oregon Code 1930.

WITNESS the signature of the State Engineer, affixed

this 31st day of January, 1939

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 11, page 12113