STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* LINN-BENTON MEMORIAL PARK ASSN.

of Albany *, 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* Murder Creek *a tributary of* Third Lake *for the purpose of* irrigation and supplemental irrigation *under Permit No.* 15915 *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* June 30, 1944 ;

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 0.22 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 SE¼ SW¼, as projected on Exum Powell D.L.C. No. 44, Section 28, Township 10 South, Range 3 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 2½ 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:

Irrigation

7.7 acres in the SE¼ SW¼, as projected on Exum Powell D.L.C. No. 44
1.3 acres in the SW¼ SW¼, as projected on Exum Powell D.L.C. No. 44
Section 28
T. 10 S., R. 3 W., W. M.

Supplemental irrigation

7.5 acres in the SE¼ SW¼, as projected on Exum Powell D.L.C. No. 44
1.3 acres in the SW¼ SW¼, as projected on Exum Powell D.L.C. No. 44
Section 28
T. 10 S., R. 3 W., W. M.

Land on which water is to be used is a part of the property more explicitly described by the appropriator as follows: Beginning at the Southeast corner of the D. L. C. of Isaac Miller, Sr., and wife, being Not. No. 1668 and Claim No. 46 in Township 10 South of Range 3 West of the Willamette Meridian Oregon; thence South 88° 37' West along the South line of said Claim No. 46 a distance of 1102.2 feet; thence South 1° 30' East a distance of 831.6 feet to the center of Murder Creek; thence Easterly following the center line of said Murder Creek a distance of 1353 feet to a point which is South 88° 30' West a distance of 19.99 chains from the East line of the D. LC. of Exum Powell and wife, being Not. No. 1696 and Claim No. 44 in said Township and Range; thence North 1° 15' West a distance of 219.1 feet; thence North 88° 30' East along the North line of the lands of Carl S. Nygren et al and described in Volume 130 at Page 135 of Linn County Deed Records a distance of 350 feet to the Southerly line of the right of way of the Pacific Highway; thence Northwesterly along said Southerly line of Pacific Highway to a point which is North 88° 37' East from the place of beginning; thence South 88° 37' West a distance of 6.8 feet to the place

of beginning and containing 17.81 acres, more or less, situated in Linn County, State of Oregon, excepting a strip of land one rod along the North side of the above described property and leaving in the premises hereby conveyed 17.40 acres, more or less, situated in Linn County, State of Oregon.

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* December , *19* 49 .

CHAS. E. STRICKLIN *State Engineer*

Recorded in State Record of Water Right Certificates, Volume 14 , *page* 16725