

CANCELED

Supervised by
Gen. No. 43951
Tr. Sp. Cr. 449.138

STATE OF OREGON

COUNTY OF BENTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MARIE M. SMITH

of 3725 Van Buren St., Corvallis, 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 Beaver Creek a tributary of Muddy Creek for the purpose of irrigation of 45.3 acres under Permit No. 20829 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 26, 1951,

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 0.5 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 SW $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Herbert DLC #41, Section 8, Township 13 South, Range 5 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 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:

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- 5.1 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
- 19.8 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
- 20.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 8
- 0.4 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 17

All as projected within Herbert DLC #41 Township 13 South, Range 5 West, W.M.

Land on which water is to be used is part of that described as follows:

Beginning at a point 52.74 chs. N. of the S. boundary line of DLC #41, T. 15 S., R. 5 W., W.M. and 30.85 chs. W. from the E. boundary line of said DLC and running thence N. 52.78 chs.; thence W. 10.07 chs.; thence S. 52.78 chs.; thence E. to the place of beginning; EXCEPTING - therefrom a private right of way along the E. side of said tract of land conveyed to Charles T. Starr et al by deed recorded in Book 66, Page 142, Deed Records.

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 14th day of November, 1958.

LEWIS A. STANLEY
State Engineer