

STATE OF OREGON
COUNTY OF BENTON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That GROVER C. AVERY

of 318 S. 7th 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 56.8 acres under Permit No. 21384 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 May 14, 1952,

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 0.71 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 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 13 South, Range 5 West, W.M. and the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 13 South, Range 6 West, W.M., both as projected within Foster DLC #38,

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:

5.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
 0.5 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
 24.8 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
 16.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 12

All as projected within Foster DLC #38
 Township 13 South, Range 6 West, W.M.

9.7 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 7

As projected within Foster DLC #38
 Township 13 South, Range 5 West, W. M.

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

The N $\frac{1}{2}$ of James Foster and wife DLC Not. #2160 and Claim #38, the said claim being parts of Sec. 7 and 18; all in T. 13 S., R. 5 W., W.M., and parts of Secs. 12 and 13; all in T. 13 S., R. 6 W., W.M., Exception therefrom 10 acres conveyed to Frank Ecker by deed recorded in Book 63 at page 565, deed records of Benton County, 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 17th day of March, 1959.

..... Lewis A. Stanley

State Engineer