

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

This Is to Certify, That D. H. and E. H. SMYTH

of Diamond, 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 Smyth Creek and Smyth's Creek Dam const. under Appl. No. R-28545, Per. No. R-1641 a tributary of for the purpose of irrigation of 222.0 acres.

under Permit No. 23044 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 15, 1953.

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 2.6 cubic feet 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 SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13; Township 29 South, Range 33 East, 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-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-1641, and shall be subject to the terms and conditions of the Special Order of the State Engineer dated March 22, 1954.

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:

22.6 acres W $\frac{3}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$
22.6 acres W $\frac{3}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$
30.4 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 1

0.5 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
1.4 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
0.1 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
34.2 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 2

10.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
1.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 11

10.6 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
8.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 12

Township 29 South, Range 33 East, 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.

WITNESS the signature of the State Engineer, affixed

this date. SEPTEMBER 29 1959

.....Lewis A. Stanley.....
State Engineer