

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **D. G. MILLER**

of **Route 1, Box 406, Applegate** , 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 **Sturgis Creek and O'Brien Creek**

a tributary of **Carberry Creek** for the purpose of
irrigation of 17.1 acres

under Permit No. **27416** 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 25, 1961**

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 **0.21 cubic foot per second, being 0.13 c.f.s. from Sturgis Creek and 0.08 c.f.s. from O'Brien Creek**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SE¹/₄ NE¹/₄, Section 15; SE¹/₄ NW¹/₄, Section 12, T. 40 S., R. 5 W., W. M.** Diversion points located:

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 limited to a diversion of not to exceed 4½ acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the Rogue River is more than 735 c.f.s. at its mouth,**

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:

**3.2 acres SW¹/₄ NW¹/₄
7.9 acres SE¹/₄ NW¹/₄
6.0 acres NE¹/₄ SW¹/₄
Section 28
T. 38 S., R. 4 W., W. M.**

Diversion points located: Sturgis Creek - 1030 feet North and 4830 feet East; from W¹/₄ Corner, Section 15; O'Brien Creek - 570 feet North and 1330 feet East; from W¹/₄ Corner, Section 12.

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. **June 16, 1970**

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CHRIS L. WHEELER

State Engineer