

STATE OF OREGON
 COUNTY OF **LINN**
CERTIFICATE OF WATER RIGHT

This Is To Certify, That **WALTER D. and PATRICIA R. MILLER**

of P.O. Box 496, Stayton, 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 Smallman Creek a tributary of North Santiam River for the purpose of irrigation of 163.3 acres and supplemental irrigation of 4.5 acres under Permit No. 31615 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, 1966

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 2.10 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within McDonald DLC 61, Section 35, T. 9 S., R. 2 W., W. M. Diversion point located: 4700 feet North and 1580 feet West from SW Corner, McDonald DLC 52.

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 $\frac{1}{2}$ 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:

Primary	Supplemental	
0.8 acre	0.6 acre	SW $\frac{1}{4}$ NE $\frac{1}{4}$
3.3 acres	2.0 acres	Lot 8 (SE $\frac{1}{4}$ NE $\frac{1}{4}$)
	1.8 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within McDonald DLC 61
0.4 acre		Lot 9 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
4.1 acres	0.1 acre	NE $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within McDonald DLC 61
2.3 acres		Lot 10 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
0.4 acre		NW $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within McDonald DLC 61
0.7 acre		SW $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within McDonald DLC 61
8.6 acres		SE $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within McDonald DLC 61
		Section 35
17.4 acres		SW $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within McDonald DLC 61
		Section 36
		T. 9 S., R. 2 W., W. M.

Primary	Supplemental
5.8 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within McDonald DLC 52
42.2 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within McDonald DLC 52
29.5 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within McDonald DLC 52
5.7 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within McDonald DLC 52
0.3 acre	NW $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within McDonald DLC 52
	Section 1
32.7 acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within McDonald DLC 52
9.1 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within McDonald DLC 52
	Section 2
	T. 10 S., R. 2 W., 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 10th day of August, 1970.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36947

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