

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That RAYMOND and EMALENE MILLER

of Route 1, Box 65, Yoncalla, 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 Bennett Creek and Unnamed stream

a tributary of Elk Creek for the purpose of irrigation of 67.2 acres

under Permit No. 28881 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 21, 1963

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 0.52 cubic foot per second, being 0.32 c.f.s. from Bennett Creek and 0.20 c.f.s. from Unnamed stream

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 $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, all as projected within Scott DLC 38, Section 33, T. 22 S., R. 4 W., W. M. Diversion points located below:

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; provided further that the right to the use of water is limited to the period when the flow of the Umpqua River is more than 525 c.f.s. at tidewater,

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:

Bennett Creek

25.2 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Scott DLC 38
23.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Scott DLC 38

Unnamed Stream

15.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within Scott DLC 38
4.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within Scott DLC 37
Section 33
T. 22 S., R. 4 W., W. M.

Diversion points located: Bennett Creek - 790 feet North and 390 feet East from NW $\frac{1}{4}$ Corner, Section 33; 820 feet North and 550 feet West from center Section 33.
Unnamed stream - 650 feet South and 1620 feet West from center Section 33.

This certificate is issued to supersede the certificate issued to Raymond and Emalene Miller and recorded at page 36994, Volume 29, State Record of Water Right Certificates so as to correctly show the location of point of diversion.

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. February 26, 1971

CHRIS L. WHEELER

State Engineer