

STATE OF OREGON
COUNTY OF BENTON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That LOWELL R. PHENIX and KATHLEEN M. PHENIX

of Route 2, Box 4 A, Alsea, 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 Roberts Creek, two springs and reservoir constructed under application number R-42810, permit number R-4867, a tributary of Alsea River for the purpose of irrigation of 3.7 acres

under Permit No. 32005 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 September 16, 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 0.05 cubic foot per second, being 0.03 cubic foot per second from Roberts Creek, 0.01 cubic foot per second from each spring,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 2, T. 14 S., R. 8 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 from direct flow 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 from direct flow and storage from reservoir constructed under permit number R-4867,

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:

0.1 acre NE $\frac{1}{4}$ NE $\frac{1}{4}$
1.0 acre Lot 3 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
2.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 2
T. 14 S., R. 8 W., W. M.

Diversion points located: Springs - 280 feet South and 560 feet West; 510 feet South and 710 feet West; Creek - 490 feet South and 260 feet West; Reservoir - 770 feet South and 570 feet West; all from NE Corner, Section 2.

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. March 27, 1972

.....CHRIS L. WHEELER.....

State Engineer