

STATE OF OREGON

Supervised by

Cert. No. 39851COUNTY OF **POLK**

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **KENNETH GARDNER**

of **Route 2, Box 184, Dallas**, 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 **Little Luckiamute River**

a tributary of **Luckiamute River (Willamette River)** for the purpose of **irrigation of 108.3 acres**

under Permit No. **31328** 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 **February 11, 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 **1.35 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 $\frac{1}{4}$** as projected within **Gardner DLC 42, Section 26, T. 8 S., R. 6 W., W. M., 150 feet South and 1490 feet West from NE Corner, Gardner DLC 42.**

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,

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:

5.3 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
8.9 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Both as projected within Gardner DLC 42
 Section 26
27.6 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
22.4 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
13.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
29.9 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
0.4 acre NE $\frac{1}{4}$ SE $\frac{1}{4}$
 All as projected within Gardner DLC 42
 Section 35
0.5 acre NW $\frac{1}{4}$ NW $\frac{1}{4}$
0.1 acre SW $\frac{1}{4}$ NW $\frac{1}{4}$
 Both as projected within Gardner DLC 42
 Section 36
T. 8 S., R. 6 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 date. **July 5, 1973**

CHRIS L. WHEELER

State Engineer