

SUPERSEDED by

CERTIFICATE NO. 44889

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That C. A. TWISS

of Route 2, Box 32, Monmouth, State of Oregon 97361, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Luckiamute and Little Luckiamute Rivers, a tributary of Willamette River for the purpose of irrigation of 137.4 acres under Permit No. 34380 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 12, 1969 for 0.74 cubic foot per second from Luckiamute River and 0.71 cubic foot per second from Little Luckiamute River, August 1, 1969* 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 1.72 cubic feet per second being 1.01 cubic feet per second from Luckiamute River and 0.71 cubic foot per second from Little Luckiamute River

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 $\frac{1}{4}$, Section 8, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T. 9 S., R. 5 W., W. M., 460 feet North and 550 feet West, 3720 feet South and 460 feet East, 4870 feet South and 1600 feet West, all from the SW Corner, Lot 5 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 8.

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:

| | <u>Luckiamute River</u> | <u>Little Luckiamute River</u> |
|-----------------------------------|--|--------------------------------|
| SW $\frac{1}{4}$ SW $\frac{1}{4}$ | As projected within Smith DLC 56 Section 9 | 0.1 acre |
| NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 6.1 acres | 18.4 acres |
| SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 24.3 acres | 3.7 acres |
| NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 0.3 acres | |
| | All as projected within Smith DLC 56 Section 16 | |

* for 0.27 cubic foot per second.

Luckiamute River

Little Luckiamute River

| | | |
|-----------------------------------|------------|------------|
| NE $\frac{1}{4}$ NE $\frac{1}{4}$ | | 19.9 acres |
| SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 14.9 acres | |
| SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 12.5 acres | 14.3 acres |
| SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 13.1 acres | |
| NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 9.4 acres | |
| NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 0.2 acres | |
| NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 0.2 acres | |

All as projected within Smith DLC 56

Section 17

T. 9 S., R. 5 W., W. M.

[Faint, mostly illegible text, likely a description of the water right or survey details.]

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 28 day of December, 1973

Chris L. Wheeler State Engineer