

STATE OF OREGON
COUNTY OF **WALLOWA**

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JERALD WITHERRITE

of **Imnaha**, 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
Ben's Creek

97842

a tributary of **Imnaha River** for the purpose of
irrigation of 23.6 acres

under Permit No. **32545** 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 **April 21, 1967**

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
0.25 cubic foot 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 **SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29, T. 2 N., R. 48 E.,
W. M., 520 feet South and 460 feet West, 620 feet South and 1040 feet West, 730
feet South and 1680 feet West, all from SW Corner, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29.**

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-fortieth** 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 **4 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:

**13.1 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
7.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
3.5 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 29
T. 2 N., R. 48 E., 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. **December 11, 1974**

Chris L. Wheeler

State Engineer