

STATE OF OREGON
 COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

This Is to Certify, That ARNOLD D. KENNEY

of **Route 2, Box 49, 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 an unnamed spring and reservoir constructed under Application No. R-45459, Permit No. R-5373 and Jont Creek a tributary of Luckiamute River for the purpose of irrigation of 28.6 acres

under Permit No. 33924 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 **October 8, 1968**

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 0.36 cubic foot per second, being 0.06 c.f.s. from unnamed spring and reservoir, and 0.30 c.f.s. from Jont Creek, with any deficiency in the available supply from unnamed spring and reservoir to be made up by appropriation from Jont Creek * 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 $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, T. 9 S., R. 5 W., W. M., Creek-1860 feet South and 2320 feet West, 780 feet South and 1500 feet West, 40 feet South and 920 feet West, spring-1080 feet South and**

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 construction under Permit No. R-5373,

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:

<p><u>Spring, Reservoir, And Jont Creek</u></p> <p>6.8 acres NE$\frac{1}{4}$ SW$\frac{1}{4}$ 1.2 acres NW$\frac{1}{4}$ SW$\frac{1}{4}$ 1.2 acres SW$\frac{1}{4}$ SW$\frac{1}{4}$ 7.0 acres SE$\frac{1}{4}$ SW$\frac{1}{4}$ Section 31 T. 9 S., R. 5 W., W. M.</p>	<p><u>Jont Creek</u></p> <p>2.9 acres NE$\frac{1}{4}$ SW$\frac{1}{4}$ 9.5 acres NW$\frac{1}{4}$ SE$\frac{1}{4}$ Section 31 T. 9 S., R. 5 W., W. M.</p>
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*provided that the total quantity diverted from all sources shall not exceed 0.36 cubic foot per second.

** 3270 feet West, Reservoir-1050 feet South and 2040 feet West, all from NE Corner, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31.

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. **January 22, 1975**

.....**Chris L. Wheeler**.....
 State Engineer