

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

This Is to Certify, That KENNETH AND MYRTLE ELLIS

of Rt. 1 Box 332, Jefferson, State of Oregon, 97352, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of North Santiam River and Smallman Creek

a tributary of Santiam River for the purpose of irrigation of 54.3 acres from the North Santiam River and 78.3 acres from Smallman Creek

under Permit No. 36132 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 12, 1971

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 1.66 cubic feet per second, being 0.68 c.f.s. from the North Santiam River and 0.98 c.f.s. from Smallman 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 N. Santiam River-Lot 5 (SW, NW), & Lot 4 (NE, SW), Section 9, T. 10 S., R. 2 W., W. M., Smallman Creek-Lot 3 (SW, NE), Section 9 & NW, NW, as projected within Stewart DLC 54, Section 10, T. 10 S., R. 2 W., W. M., North Santiam River-2690 feet North and 4190 feet West; 2510 feet North and 3060 feet West; Smallman Creek-3200 feet North and 1360 feet West; *

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 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:

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* and 4760 feet North and 430 feet East; all from the SE Corner of Section 9.

North Santiam River

- 1.2 acres Lot 5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
- 6.4 acres Lot 4 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
- 0.4 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$
- 19.1 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
- 10.6 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

All projected within Starkweather DLC 62

16.6 acres Lot 9 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)

Section 9

T. 10 S., R. 2 W., W. M.

Smallman Creek

1.5 acres Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)

2.5 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$

2.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Both projected within Stewart DLC 54

18.2 acres Lot 2 (SE $\frac{1}{4}$ NE $\frac{1}{4}$)

31.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

1.0 acre SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 9

0.5 acre Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)

6.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$

4.8 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$

9.6 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

All projected within Stewart DLC 54

Section 10

T. 10 S., R. 2 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, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. November 23, 1976

.....James E. Sexson.....
Water Resources Director