

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MICHAEL D. BOOHER

of Rt. 1, Box 69, Yoncalla , State of Oregon, 97499 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Bennett Creek and Reservoir constructed under Permit No. R-5804

a tributary of Elk Creek for the purpose of irrigation of 9.5 acres

under Permit No. 35921 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 August 16, 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 0.12 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Scott DLC 38, Section 32, T. 22 S., R. 4 W., W. M., 880 feet North and 320 feet West from the E $\frac{1}{2}$ Corner, Section 32

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-eighth 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 the reservoir constructed under Permit No. R-5804, and shall be subject to the terms and conditions of an agreement between the Oregon State Game Commission and the applicant on file in the office of the Water Resources Director and by reference made a part hereof;

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

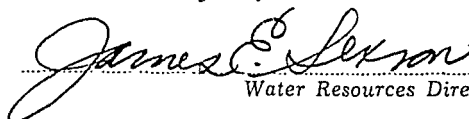
A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

3.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
6.3 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Both as projected within Scott DLC 38
Section 32
T. 22 S., R. 4 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. May 19, 1978


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 38 , page 45621