

STATE OF OREGON

COUNTY OF

POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That KENNETH GARDNER

of Rt. 2, Box 184, Dallas , State of Oregon, 97338 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Little Luckiamute River

a tributary of Luckiamute River for the purpose of irrigation of 142.5 acres

under Permit No. 31428 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 March 15, 1966 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 1.52 cubic feet 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 Lot 1 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section 25, T. 8 S., R. 6 W., W. M., 780 feet South and 1050 feet East from the NW Corner, Burns DLC 56.

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:

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4.8 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
 21.9 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
 0.4 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 25
 4.8 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
 1.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 35
 12.6 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
 27.4 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
 7.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
 37.7 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
 6.4 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
 0.2 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$
 17.7 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 36
 All as projected within Burns DLC 56
 T. 8 S., R. 6 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 39287, Volume 31, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on April 28, 1978, approving transfer application Nos. 3575 and 3576.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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. June 9, 1978.


 DEPUTY
 Water Resources Director