

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that WALTER R. MILLER, of P.O. BOX 12395, SALEM, OREGON 97309, has a right to the use of the waters of SUCKER SLOUGH AND SMALLMAN CREEK, TRIBUTARIES OF NORTH SANTIAM RIVER, for the purpose of IRRIGATING 321.2 ACRES.

The right has been perfected under Permit 37753. The date of priority is FEBRUARY 27, 1975. The right is limited to not more than 4.02 CUBIC FEET PER SECOND FROM THE SLOUGH WHEN AVAILABLE WITH A DEFICIENCY IN THE AVAILABLE SUPPLY FROM THE SLOUGH TO BE MADE UP BY APPROPRIATION FROM SMALLMAN CREEK PROVIDED THAT THE QUANTITY DIVERTED FROM THE CREEK SHALL NOT EXCEED 1.0 CFS or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

SUCKER SLOUGH: LOT 2 (SE1/4 SE1/4), SECTION 2, T10S, R2W, W.M.; 1120 FEET NORTH & 650 FEET WEST FROM SE CORNER, SECTION 2; SMALLMAN CREEK: NW1/4 SE1/4 AS PROJECTED WITHIN MCDONALD DLC 61, SECTION 35, T9S, R2W, WM; 50 FEET SOUTH & 100 FEET EAST FROM THE MOST WESTERLY NW CORNER MCDONALD DLC 61.

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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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, and to which such right is appurtenant, is as follows:

11.8 ACRES	LOT 3 (NW1/4 SW1/4)	40.0 ACRES	NE1/4 NE1/4
39.6 ACRES	SW1/4 SW1/4	34.0 ACRES	NW1/4 NE1/4
	SECTION 1	39.6 ACRES	SW1/4 NE1/4
		40.0 ACRES	SE1/4 NE1/4
			SECTION 11
2.1 ACRES	LOT 2 (NE1/4 SE1/4)		
3.0 ACRES	LOT 2 (SW1/4 SE1/4)		
31.9 ACRES	LOT 2 (SE1/4 SE1/4)	39.6 ACRES	NW1/4 NW1/4
	SECTION 2	39.6 ACRES	SW1/4 NW1/4
			SECTION 12
			TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date OCTOBER 21, 1988.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57883

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SUPERSEDED BY
CERT. NO. 92094

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