

STATE OF OREGON
COUNTY OF CURRY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

VERN R. AND DOROTHY J. GARVIN
PO BOX 1220
BROOKINGS, OREGON 97415

confirms the right to use the waters of BENSON CREEK, a tributary of CHETCO RIVER, for IRRIGATING 0.9 ACRE AND DOMESTIC USE FOR ONE FAMILY.

This right was perfected under Permit 40634. The date of priority is MAY 11, 1976. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.016 CUBIC FOOT PER SECOND, BEING 0.011 CFS FOR IRRIGATION AND 0.005 CFS FOR DOMESTIC USE, or its equivalent in case of rotation, measured at the point of diversion from the source. Water use is limited to the irrigation season of each year.

The point of diversion is located as follows:

NW 1/4 SE 1/4, SECTION 4, T 41 S, R 13 W, W.M.; 940 FEET SOUTH AND 170 FEET EAST FROM THE CENTER 1/4 CORNER OF SECTION 4.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

LOT 1 (SE 1/4 SW 1/4) 0.9 ACRE AND DOMESTIC
SECTION 4
TOWNSHIP 41 SOUTH, RANGE 13 WEST, W.M.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the wateruser is entitled;

the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm changes in USE AND PLACE OF USE approved by an order of the Water Resources Director entered OCTOBER 8, 1984 and supersedes Certificate 49969, State Record of Water Right Certificates.

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The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed MAY 13, 1997.

/S/ Richard D. Bailey

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 74294.