

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WALTER R. MILLER
 PO BOX 12395
 SALEM, OR 97309

confirms the right to use the waters of SMALLMAN CREEK, a tributary to the NORTH SANTIAM RIVER for SUPPLEMENTAL IRRIGATION OF 301.5 ACRES.

This right was perfected under Permit S-40260. The date of priority is MARCH 8, 1976. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.83 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
9 S	2 W	WM	35	NW SE	61	50 FEET SOUTH AND 100 FEET EAST FROM THE MOST WESTERLY NW CORNER OF 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, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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 to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
10 S	2 W	WM	1	SW SW		35.3
10 S	2 W	WM	2	SW SE	2	3.0
10 S	2 W	WM	2	SE SE	2	30.4
10 S	2 W	WM	11	NE NE		40.0
10 S	2 W	WM	11	NW NE		34.0
10 S	2 W	WM	11	SW NE		39.6
10 S	2 W	WM	11	SE NE		40.0
10 S	2 W	WM	12	NW NW		39.6
10 S	2 W	WM	12	SW NW		39.6

This certificate is issued to correct a scrivener's error in the certificate number of Certificate 87523, issued in the name of WALTER R. MILLER. This certificate supersedes Certificate 87523, in the name of WALTER R. MILLER, and describes that portion of Certificate 57884, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered January 13, 2012, and recorded at Volume 85, Page 932.

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 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 August 14, 2012.



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR