

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

This Is to Certify, That ESTATE OF W. R. BERNARD
of Lakeview, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Flood and waste waters from Cottonwood Creek
a tributary of _____ for the purpose of
Irrigation and domestic
under Permit No. 11082 of the State Engineer, 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 October 18, 1933;

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
6.63 cubic feet per second measured at the point of diversion,

or its equivalent in case of rotation.

The point of diversion is located in the S₂S₂SE₂NW₄, Section 12, Township 40 South, Range
19 East, W. M.

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-fortieth of one cubic foot per second
per acre, shall not exceed $\frac{1}{4}$ of one acre foot per acre during any 30-day period prior
to June 1, $\frac{1}{2}$ of one acre foot per acre during any 30-day period after June 1 of each
year, shall not exceed 2 $\frac{1}{2}$ acre feet per acre during any irrigation season, and shall
also be limited to the water available at the proposed point of diversion, and shall
not carry with it the right to divert water from the stream from which the waste water
is diverted nor the right to require the wasteful use of water by others 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:

40 acres in the NE ₁ SW ₄ ,	21.31 acres in Lot 1,
20 acres in Lot 5,	25.61 acres in the NE ₁ NW ₄ ,
40 acres in the SW ₄ SW ₁ ,	Section 13,
39.68 acres in Lot 12,	Township 40 South, Range 19 East, W. M.
15 acres in Lot 9,	
38.88 acres in Lot 10,	
23.05 acres in Lot 11,	
Section 12,	

This certificate is to correct and supersede that certain water right
certificate issued by the State Engineer on January 30, 1936, to the Estate of
W. R. Bernard, which certificate is recorded in State Record of Water Right
Certificates, volume 10, page 11386.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any
federal power license issued in connection with this right, and after not less than two years' notice in
writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to
take over the dams, plants and other structures and all appurtenances thereto which have been con-
structed for the purpose of devoting to beneficial use the water rights specified herein, upon condition
that before taking possession the State or municipality shall pay not to exceed the fair value of the
property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable prop-
erty of the holder of this certificate, not taken over, as may be caused by the severance therefrom of
the property taken in accordance with the provisions of section 47-508, Oregon Code 1930.

WITNESS the signature of the State Engineer, affixed

this 4th day of September, 1936.

..... CHAS. E. STRICKLIN

State Engineer