

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That FESTUS L. MERRY

of Idleyld Route, Box 485 L, Roseburg, State of Oregon 97470, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of North Deer Creek

a tributary of South Umpqua River for the purpose of irrigation of 4.5 acres and supplemental domestic use for one family

under Permit No. 28221 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 July 30, 1962 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 0.063 cubic foot per second, being 0.053 cfs for irrigation and 0.01 cfs for domestic

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 SW 1/4, as projected within Cox DLC 44, Section 21, T27S, R4W, W4M; 570 feet North and 1150 feet West from the SE Corner, Cox DLC 44.

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 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water for irrigation is limited to the period when the flow of the South Umpqua River is more than 60 cfs at its mouth,

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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2.25 acres NE 1/4 SW 1/4 as projected within Cox DLC 44
Domestic and 2.25 acres NW 1/4 SW 1/4 as projected within Cox DLC 44
Section 21
Township 27 South, Range 4 West, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 35727, Volume 27, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on August 21, 1985, approving Transfer Application 5666.

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 purposes aforesaid is restricted to the lands or place of use herein described and 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. December 31, 1985

...../s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 48 , page 53616

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