

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

BARBARA BALES ET AL

of PO Box 603, Cave Junction, State of Oregon 97523, has a right to the use of the waters of Althouse Creek

a tributary of Illinois River for the purpose of irrigation of 176.98 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Josephine County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at page 427; that the priority of the right thereby confirmed dates from 1856 for 97.0 acres and 1870 for 79.98 acres

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3.54 cubic feet per second being 0.99 cfs through the Morey Ditch if available at the original point of diversion, the Houck and George Ditch and 2.55 cfs through the Houck and George Ditch.

The point of diversion is located in the NW 1/4 SW 1/4, Section 8, NE 1/4 NW 1/4, Section 18, T40S, R7W, WM, Houck and George Ditch - 180 feet South and 1180 feet East from the W 1/4 Corner, Section 8, Morey Ditch - 860 feet South and 2090 feet East from NW Corner, Section 18.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

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Cancelled due to T-9724: Sp. Or. Vol. 43 P. 334

SUPERSEDED BY CERT. NO. 90472

T-9725

1870
MOREY DITCH

12.31 acres NE 1/4 NE 1/4 as projected within J. Thomas DLC 45
6.2 acres NW 1/4 NE 1/4

Section 13
Township 40 South, Range 8 West, WM

2.9 acres NE 1/4 NW 1/4 as projected within N. Patterson DLC 38
24.17 acres NW 1/4 NW 1/4 as projected within N. Patterson DLC 38
3.80 acres NW 1/4 NW 1/4 as projected within J. Thomas DLC 37

Section 18
Township 40 South, Range 7 West, WM

HOUCK AND GEORGE DITCH

1.4 acres NW 1/4 NW 1/4 as projected within N. Patterson DLC 38
3.5 acres SW 1/4 NW 1/4 as projected within J. Thomas DLC 37
21.9 acres SW 1/4 NW 1/4 as projected within N. Patterson DLC 38
0.1 acre Lot 1 (SW 1/4 NW 1/4)
0.1 acre Lot 1 (SE 1/4 NW 1/4)

3.6 acres SE 1/4 NW 1/4 as projected within N. Patterson DLC 38
Section 18
Township 40 South, Range 7 West, WM

1856
HOUCK AND GEORGE DITCH

39.7 acres SW 1/4 NW 1/4
27.9 acres SE 1/4 NW 1/4
29.4 acres NW 1/4 SW 1/4

Section 13
Township 40 South, Range 8 West, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 53115, Volume 48, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on August 5, 1985, approving Transfer Application 5519.

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.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date December 31, 19 85.

...../s/ William H. Young
Water Resources Director