

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This is to certify, That NORBERT POTH AND LORNA BYRNE

of 5330 Caves Hwy., Cave Junction, State of OR 97523, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Kelly Creek

a tributary of East Fork Illinois River for the purpose of irrigation of 7.0 acres

under Permit No. 6982 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 26, 1925

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 0.088 cubic foot per second; if available at the original point of diversion; NW 1/4 SE 1/4, Section 20, T39S, R7W, WM; 100 feet South and 575 feet East from Center Section 20

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW 1/4 SE 1/4, Section 20, T39S, R7W, WM; 500 feet South and 700 feet East from Center Section 20.

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,

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:
 2.0 acres NE 1/4 SW 1/4
 5.0 acres NW 1/4 SE 1/4
 Section 20
 Township 39 South, Range 7 West, WM

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered September 7, 1976, and together with certificates of water right recorded at pages 43771 and 48675, Volumes 35 and 42, State Record of Water Right Certificates, supersedes certificate 42064, Volume 34, State Record of Water Right Certificates.

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. October 13, 1986

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 54958

6222D/TS
 T-3231