

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This is to certify, That ROBERT E. AND GERALDINE L. POWELL

of 1900 Fish Lake Rd., Butte Falls, State of OR 97522, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of South Fork Big Butte Creek

a tributary of Big Butte Creek for the purpose of irrigation of 3.9 acres

under Permit No. 376 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 June 8, 1910 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 0.05 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 SW 1/4, Section 12, T35S, R2E, WM; 475 feet North and 104 feet West from S 1/4 corner Section 12.

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-eighthieth 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:

3.9 acres SE 1/4 SW 1/4
Section 12
Township 35 South, Range 2 East, WM

This certificate is issued to confirm changes in place of use approved by orders of the State Engineer entered March 22, 1973 and April 2, 1973, and together with certificate of water right recorded at page 39590, Volume 31, State Record of Water Right Certificates, supersedes certificate 37632.

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 12, 1986

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 55224