

STATE OF OREGON  
COUNTY OF JOSEPHINE  
CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that

ELTON BERKMAN  
VIRGINIA BERKMAN; TRIANGLE THREE RANCH  
of 600 EIGHT DOLLAR MT RD           KERBY, OR           97531  
has a right to the use of the waters of A SPRING, AND UNNAMED GULCH  
AND A RESERVOIR CONSTRUCTED UNDER PERMIT R-3085, MODIFIED BY AN  
ORDER APPROVING TRANSFER 5485, TRIBUTARY OF HENDERSON CREEK  
for the purpose of IRRIGATION, SUPPLEMENTAL IRRIGATION, DOMESTIC USE  
FOR THREE FAMILIES INCLUDING THE IRRIGATION OF NOT TO EXCEED 1/2  
ACRE LAWN & NONCOMMERCIAL GARDEN FOR EACH, AND MAINTENANCE OF A \*

The right to the use of these waters has been perfected  
under Permit       49255. The date of priority is OCTOBER 18, 1984  
FOR 0.27 CFS AND MARCH 18, 1985 FOR 0.01 CFS.

The right is limited to not more than 0.28 CUBIC FOOT PER SECOND;  
BEING 0.02 CFS FROM SPRING FOR DOMESTIC USE; 0.24 CFS FROM SPRING  
FOR IRRIGATION AND SUPPLEMENTAL IRRIGATION; 0.02 CFS FROM UNNAMED  
GULCH DURING THE NON-IRRIGATION SEASON FOR MAINTENANCE OF THE \*\*  
or its equivalent in case of rotation, measured at the point of  
diversion from the source. The point of diversion is located as  
follows:

- (point 1)                   SW 1/4 NE 1/4, Section 28, T 38 S, R 08 W, WM;  
150 FEET SOUTH & 450 FEET WEST FROM NE CORNER, SWNE, SECTION 28  
(point 2)                   NW 1/4 SE 1/4, Section 28, T 38 S, R 08 W, WM;  
450 FEET NORTH & 440 FEET WEST FROM SE CORNER, NWSE, SECTION 28

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-FIFTIETH       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 3.5 acre-feet per acre for  
each acre irrigated during the irrigation season of each year. The  
right shall be limited to any deficiency in the available supply of  
any prior right for the same land and shall not exceed the  
limitation allowed herein.

The right 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, and to  
which such right is appurtenant, is as follows:

	ACRES	1/4	1/4	SECTION	TOWNSHIP	RANGE,	WM
DOMESTIC		SE	NE	28	38	S 08	W
primary	1.00	SE	SW	28	38	S 08	W
DOMESTIC		NW	SE	28	38	S 08	W
FISH		NW	SE	28	38	S 08	W
supplemental	11.10	SW	SE	28	38	S 08	W
Total:	1.00	primary and		11.10	supplemental acres.		

\* RESERVOIR FOR FISH CULTURE.

\*\* RESERVOIR FOR FISH CULTURE WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM THE GULCH TO BE MADE UP BY APPROPRIATION FROM THE SPRING AT ANY TIME OF THE YEAR

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right 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, SEPTEMBER 21, 1988.

/S/ WILLIAM H. YOUNG

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Water Resources Director

Recorded in State Record of Water Right Certificates number 57686  
68090