

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that W. L. BABCOCK,
of KERBY, OREGON 97531, has a right to the use of waters of SUCKER
CREEK, a tributary of ILLINOIS RIVER, for the purpose of IRRIGATING
56.95 ACRES.

The right has been confirmed by decree of the Circuit Court of the
State of Oregon for JOSEPHINE County. The decree is of record at
Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume
1, at page 252. The date of priority is 1893 FOR 31.94 ACRES; 1872
FOR 25 ACRES.

The right is limited to not more than 0.65 CUBIC FOOT PER SECOND FOR
31.94 ACRES AND 0.5 CUBIC FOOT PER SECOND FOR 25 ACRES; THAT THE USE
OF WATER FOR IRRIGATION PURPOSES SHALL BE CONFINED TO THE SEASON
APRIL 1 TO OCTOBER 31 OF EACH YEAR.

The point of diversion is located as follows:

NE 1/4 SW 1/4, SECTION 31, T 39 S, R 7 W, W.M.; 420
FEET SOUTH AND 180 FEET WEST FROM CENTER 1/4 CORNER SECTION 31.

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

NE 1/4 SW 1/4 4.0 ACRES
 NW 1/4 SW 1/4 10.0 ACRES
 SW 1/4 SW 1/4 20.94 ACRES
 SE 1/4 SW 1/4 2.0 ACRES

SECTION 31

TOWNSHIP 39 SOUTH, RANGE 7 WEST, W.M

SE 1/4 SE 1/4 20.0 ACRES

SECTION 36

TOWNSHIP 39 SOUTH, RANGE 8 WEST, W.M.

NOTE: THIS RIGHT IS SUPPLEMENTED BY SEEPAGE AND WASTE WATER FROM GRAVELLY SLOUGH UNDER DATE OF 1903.

CERTIFICATE 45156, CONFIRMING THE CHANGE IN POINT OF DIVERSION ALLOWED BY AN ORDER ENTERED AUGUST 16, 1966, AND THE REMAINING RIGHT NOT CANCELLED BY AN ORDER ENTERED NOVEMBER 21, 1972, OMITTED THE RIGHT TO THE USE OF WATER FROM SEEPAGE AND WASTE WATER FROM GRAVELLY SLOUGH. THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE SOURCES OF WATER UNDER THE WATER RIGHT AND SUPERCEDES CERTIFICATE 45156, 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 above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date SEPTEMBER 27, 1988.

 /s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57717