

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HOWARD BARBER
6429 LAKESHORE DRIVE
SELMA, OREGON 97538

confirms the right to use the waters of DEER CREEK, a tributary of ILLINOIS RIVER, for the purpose of IRRIGATING 7.9 ACRES.

The right has been perfected under Permit 42588. The date of priority is OCTOBER 18, 1977. The right is limited to not more than 0.16 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 5 (SW 1/4 NW 1/4), SECTION 14, T 38 S, R 7 W, W.M.;
1100 FEET NORTH & 600 FEET EAST FROM W1/4 CORNER SECTION 14.

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 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:

LOT 5 (SW 1/4 NW 1/4) 7.9 ACRES
SECTION 14
TOWNSHIP 38 SOUTH, RANGE 7 WEST, W.M.

IN PROCESSING THE APPLICATION TOWARDS ISSUANCE OF THE PERMIT, IT APPEARS THAT A CLERICAL ERROR WAS INADVERTENTLY MADE IN LIMITING THE DUTY OF WATER TO NOT EXCEED ONE-FORTIETH OF ONE CUBIC FOOT PER SECOND PER ACRE AND 4.5 ACRE FEET PER ACRE. IN THE ISSUANCE OF THIS CERTIFICATE, THE DUTY OF WATER HAS BEEN CORRECTED TO ONE-FIFTIETH CUBIC FOOT PER SECOND PER ACRE AND 3.5 ACRE FEET PER ACRE FOR EACH ACRE IRRIGATED DURING THE IRRIGATION SEASON OF EACH YEAR, IN KEEPING WITH THE CUSTOMARY POLICY AND DETERMINATION OF THIS OFFICE OF THE PROPER MAXIMUM LIMITS.

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 DECEMBER 29, 1988.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 59085

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