

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELLEN SWITZER
BOX 445, ILLINOIS RIVER ROAD
SELMA, OREGON 97538

confirms the right to use the waters of SPRING CREEK, a tributary of ILLINOIS RIVER, for IRRIGATING 4.8 ACRES AND DOMESTIC USE FOR TWO FAMILIES.

This right was perfected under Permit 28674. The date of priority is MARCH 22, 1963. This right is limited to 0.11 CUBIC FOOT PER SECOND, BEING 0.01 CFS FOR DOMESTIC USE AND 0.10 CFS FOR IRRIGATION or its equivalent in case of rotation, measured at the point of diversion from the source if available at the old point of diversion.

The point of diversion is located as follows:

LOT 9 (SW 1/4 SW 1/4), SECTION 1, T 38 S, R 9 W, W.M.; 900 FEET NORTH AND 1280 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 1.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FIFTIETH of one cubic foot per second (or its equivalent) and 3.5 acre-feet for each acre irrigated during the irrigation season of each year; PROVIDED FURTHER THAT THE RIGHT TO USE OF WATER IS LIMITED TO THE PERIOD WHEN THE FLOW OF THE ILLINOIS RIVER IS MORE THAN 80 CFS AT ITS MOUTH AND THE ROGUE RIVER IS MORE THAN 735 CFS AT ITS MOUTH.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

SE 1/4 SE 1/4 4.5 ACRES AND 2 DOMESTIC
AS PROJECTED WITHIN H.E.S. 121
SECTION 2

NE 1/4 NE 1/4 0.3 ACRE
AS PROJECTED WITHIN H.E.S. 121
SECTION 11
TOWNSHIP 38 SOUTH, RANGE 9 WEST, W.M.

When in the judgement of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

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This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 28, 1977, and supersedes Certificate 34886, 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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed AUGUST 19, 1992.

/s/ MARTHA O. PAGEL

Martha O. Pagel