

STATE OF OREGON  
COUNTY OF UNION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FREDERICK L. BEHRENS  
ROUTE 1, BOX 4  
SUMMERVILLE, OREGON 97876

confirms the right to use the waters of MILL CREEK, a tributary of WILLOW CREEK, for IRRIGATING 123.8 ACRES.

This right was perfected under Permit 36518. The date of priority is JUNE 15, 1972. This right is limited to 1.79 CUBIC FEET PER SECOND IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION LOCATED AT 10 FEET SOUTH AND 900 FEET WEST AND 1280 FEET SOUTH AND 10 FEET WEST, BOTH FROM THE E 1/4 CORNER OF SECTION 2, BEING WITHIN THE NE 1/4 SE 1/4 OF SECTION 2, T 1 S, R 38 E, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 SE 1/4, SECTION 2, T 1 S, R 38 E, W.M.; 1 - 10 FEET SOUTH AND 900 FEET WEST FROM THE E 1/4 CORNER OF SECTION 2 AND 2 - 2000 FEET NORTH AND 720 FEET WEST FROM THE SE CORNER OF SECTION 2.

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-FORTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The following provisions shall be effective when in the judgment 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 user 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.

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:

NE 1/4 SE 1/4	14.7 ACRES
NW 1/4 SE 1/4	39.0 ACRES
SW 1/4 SE 1/4	38.9 ACRES
SE 1/4 SE 1/4	31.2 ACRES
SECTION 2	
TOWNSHIP 1 SOUTH, RANGE 38 EAST, W.M.	

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This certificate is issued to confirm a change for an additional point of diversion approved by an order of the Water Resources Director entered JUNE 15, 1982 and supersedes Certificate 44329, 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 NOVEMBER 30, 1992.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68004.

T-5030.JS