

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALLEN M. WILSON
1459 PACIFIC STREET
REDLANDS, CALIFORNIA 92373

confirms the right to use the waters of MITCHELL CREEK (AKA ASH CREEK), a tributary of COW CREEK, for IRRIGATION OF 10.0 ACRES, DOMESTIC AND STOCK.

This right was perfected under Permit 17281. The date of priority is SEPTEMBER 18, 1946. This right is limited to 0.155 CUBIC FOOT PER SECOND, BEING 0.14 CFS FOR IRRIGATION, 0.01 CFS FOR DOMESTIC, AND 0.005 CFS FOR STOCK, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

W $\frac{1}{2}$, SECTION 31, T 30 S, R 5 W, W.M..

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-SEVENTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season from April 1st to October 1st of each year.

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 $\frac{1}{4}$ SW $\frac{1}{4}$ 10.0 ACRES, DOMESTIC, AND STOCK
SECTION 31
TOWNSHIP 30 SOUTH, RANGE 5 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 19854, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered May 19, 1993, approving Transfer Application 6739.

The use of water under this water right shall be subject to the conditions of a stipulated agreement referenced in the order of the Hearings Referee entered April 8, 1993 in the Special Order Records at Volume 47, Page 194, and by reference made a part herein. The following conditions shall apply:

- a. Any water appropriated shall require a system using a headgate (or pump) and a measuring device at each point of diversion.
- b. Any water appropriated shall be run through pipes or other enclosed devices and not open ditches to the point of use, beginning with the 1994 irrigation season.
- c. No water shall be appropriated by use of a dam across Mitchell Creek aka Ash Creek. The user of water may use a device which partially diverts Ash Creek, but shall not construct, nor make use of, nor allow a dam across the full width of Ash Creek.

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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 *May 19,* , 1993.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68259.

T-6739.LHN