

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WENDELL M. FALES
CAVE JUNCTION, OREGON 97523

confirms the right to use the waters of an UNNAMED STREAM AND RESERVOIR CONSTRUCTED UNDER PERMIT R-4513, a tributary of an UNNAMED SLOUGH (MENDENHALL CREEK), for IRRIGATION OF 5.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 6.3 ACRES.

This right was perfected under Permit 30106. The date of priority is JANUARY 20, 1965. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.24 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:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 7, T 40 S, R 8 W, WM; 560 FEET SOUTH AND 1230 FEET WEST FROM THE SOUTHERLY SW CORNER, MENDENHALL DLC 39.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 $\frac{1}{2}$ acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-4513.

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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES	3.5 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	0.8 ACRE	3.8 ACRES
SECTION 7		
TOWNSHIP 40 SOUTH, RANGE 8 WEST, W.M.		

This certificate describes that portion of the water right confirmed by Certificate 39784, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered SEP 04 1997, approving Transfer Application 7729.

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 SEP 04 1997.

151 Geoff Huntington for
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75137.

T-7729.LHN