

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BILL BOTELHO
HC 60, BOX 530
LAKEVIEW, OREGON 97630

confirms the right to use the waters of THOMAS CREEK, a tributary of GOOSE LAKE, for IRRIGATION OF 68.2 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for LAKE County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 7, at Page 233. The date of priority is 1880.

The use SHALL NOT EXCEED THREE-FOURTHS ACRE-FOOT PER ACRE DURING ANY 30-DAY PERIOD TO JUNE 1 OF EACH YEAR, AND ONE-HALF ACRE-FOOT PER ACRE DURING ANY 30-DAY PERIOD AFTER JUNE 1 OF EACH YEAR; AND 2 1/2 ACRE-FEET PER ACRE DURING ANY IRRIGATION SEASON; TO BE DIVERTED UNDER A HEAD OF NOT TO EXCEED ONE-FORTIETH OF A SECOND FOOT PER ACRE.

The points of diversion are located as follows:

1 - SW 1/4 SE 1/4, SECTION 30; 2 - SE 1/4 NW 1/4, SECTION 31, BOTH IN T 38 S, R 20 E, W.M.; 1 - 1190 FEET NORTH AND 2550 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 30; 2 - 1400 FEET SOUTH AND 2450 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 31.

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

	<u>TRACT 1</u>	
	NE 1/4 SW 1/4	0.7 ACRE
LOT 3	(NW 1/4 SW 1/4)	15.8 ACRES
LOT 4	(SW 1/4 SW 1/4)	20.5 ACRES
	SE 1/4 SW 1/4	11.6 ACRES
	SECTION 30	
	<u>TRACT 2</u>	
	SE 1/4 NE 1/4	19.6 ACRES
	SECTION 31	
	TOWNSHIP 38 SOUTH, RANGE 20 EAST, W.M.	

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion.

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 is entitled;

the type and plans of the measuring device be approved by the Watermaster before the

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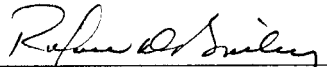
beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm a change in PLACE OF USE AND ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered FEBRUARY 18, 1981, and together with Certificate 50161, supersedes Certificate 5246, 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 and is subject to all other conditions and limitations contained in said decree. /

WITNESS the signature of the Water Resources Director, affixed APRIL 16, 1998.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75602.