

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W. J. SWEET
SIXES, OR 97476

confirms the right to use the waters of ELK RIVER, a tributary of PACIFIC OCEAN, for IRRIGATION.

This right was perfected under Permit 15640. The date of priority is OCTOBER 29, 1943. The amount of water to which this right is limited to an amount actually beneficially used and shall not exceed 0.45 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:

NE 1/4 SE 1/4, SECTION 17, T 32 S, R 15 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 ONE-EIGHTIETH 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season 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 1/4 SE 1/4	4.8 ACRES
SW 1/4 SE 1/4	15.4 ACRES
SW 1/4 SE 1/4	15.6 ACRES

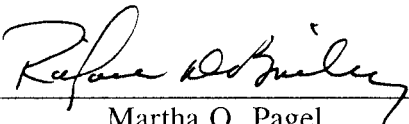
SECTION 17

TOWNSHIP 32 SOUTH, RANGE 15 WEST W.M.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE PLACE OF USE AND SUPERSEDES CERTIFICATE 15492

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.

WITNESS the signature of the Water Resources Director, affixed AUGUST 31, 1998.


Martha O. Pagel

Superseded by 75807
Cert. No.

Recorded in State Record of Water Right Certificates numbered ~~75780~~.



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

November 20, 1998

W. J. Sweet
Sixes, OR 97476

Re: Certificates 75780 and 75807

Dear Mr. Sweet:

The Department issued Certificate 75780 on August 31, 1998, and superseding Certificate 75807 on September 22, 1998, for the purpose of correcting Certificate 15492, which allows diversion from the Elk River for irrigation. It has come to my attention through a "contest" to Certificates 75780 and 75807 submitted by WaterWatch of Oregon and Jim Thurber, that these corrected certificates may have been issued in error.

On the advice of counsel, the Department today is on its own motion withdrawing for reconsideration the corrected Certificates 75780 and 75807. The Water Resources Department will more fully evaluate the circumstances of the certificate correction and will notify you promptly of our decision on reconsideration.

Dick Bailey, the administrator in charge of certificates, will phone you in the next few days to answer any questions or concerns you may have.

Sincerely,

Geoffrey M. Huntington
Deputy Director

c: Karen Russell, WaterWatch of Oregon
Jim Thurber
Dick Bailey, Water Resources Department
John Drolet, Water Resources Department