

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAN CLERGET  
68044 INDIAN CREEK ROAD  
ELGIN, OREGON 97827

confirms the right to use the waters of INDIAN CREEK, a tributary of GRANDE RONDE RIVER, for IRRIGATION OF 89.9 ACRES.

This right was perfected under Permit 31027. The date of priority is NOVEMBER 12, 1965. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.25 CUBIC FEET PER SECOND, 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 12, TOWNSHIP 1 SOUTH, RANGE 39 EAST, W.M.; 290 FEET SOUTH AND 910 FEET WEST FROM THE E 1/4 CORNER, SECTION 36; AND

SW 1/4 SE 1/4, SECTION 36, TOWNSHIP 1 SOUTH, RANGE 39 EAST, W.M.; NORTH 65 DEGREES 22 MINUTES 40 SECONDS WEST 2791.43 FEET FROM THE SE CORNER, SECTION 36.

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-FORTIETH 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 3.0 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:

SW 1/4 SW 1/4	37.8 ACRES
SE 1/4 SW 1/4	37.4 ACRES
NW 1/4 SE 1/4	3.6 ACRES
SW 1/4 SE 1/4	11.0 ACRES

SECTION 36

TOWNSHIP 1 NORTH, RANGE 39 EAST, W.M.

When in the judgment of the Watermaster it becomes necessary to install head gates 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 water user is entitled; and

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.


PAGE 1 OF 2

This certificate is issued to confirm AN ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered FEBRUARY 26, 1996, and supersedes Certificate 36694, 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 APRIL 26, 2000.

  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76518.