

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Herbert I. Magee
264 Norton Road
Williams, OREGON 97544

confirms the right to use the waters of MUNGER CREEK SUPPLEMENTED BY WATER FROM JOHN OR MULE GULCH, MARBLE GULCH AND CHINA GULCH, a tributary of WILLIAMS CREEK AND ROGUE RIVER, for IRRIGATION OF 61.0 ACRES.

This right was perfected under Permit 2938. The date of priority is MAY 25, 1916. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.77 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION DESCRIBED AS THE SITES DITCH - SW 1/4 NW 1/4, SECTION 5, TOWNSHIP 39 SOUTH, RANGE 5 WEST, W.M.; 330 FEET NORTH AND 792 FEET EAST FROM THE W 1/4 CORNER OF SECTION 5), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

VARNER DITCH - SW 1/4 NE 1/4, SECTION 5, TOWNSHIP 39 SOUTH, RANGE 5 WEST, W.M.; 2400 FEET SOUTH AND 2050 FEET WEST FROM THE NE CORNER OF SECTION 5.

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-EIGHTIETH of one cubic foot per second per acre.

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 NE 1/4	10.0 ACRES
SE 1/4 NW 1/4	24.0 ACRES
NE 1/4 SW 1/4	2.0 ACRES
NW 1/4 SE 1/4	25.0 ACRES

SECTION 34

TOWNSHIP 38 SOUTH, RANGE 5 WEST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

Transfer M-148.SB

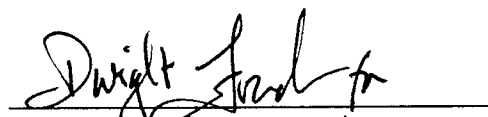
Certificate Number 80408

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 31, 1964, and together with Certificate 51983 and Special Order of the Water Resources Director enter February 11, 1981 canceling a portion of the right, supersedes Certificate 3362, 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.

Issued August 27, 2003.



Paul R. Cleary, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80408.

Transfer M-148.SB