

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Donald Lawrence Fitzpatrick or
Elizabeth Alice Fitzpatrick
N Myrtle Road, Box 294
Myrtle Creek, OR 97457

confirms the right to use the waters of unnamed stream and North Myrtle Creek, a tributary of South Umpqua River, for domestic use for one family including the irrigation of lawn and garden not to exceed 1/2 acre in area and for irrigation of 6.7 acres.

This right was perfected under Permit S-36902. The date of priority is May 11, 1972. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.09 cubic foot feet per second, being 0.01 cfs from unnamed stream for domestic use and 0.08 cfs from North Myrtle Creek for irrigation of 6.7 acres, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Township		Range		Meridian	Sec	¼ ¼	Location
28	S	4	W	W.M.	23	NW SE	Weaver Creek (unnamed stream) – 2,170 feet north and 40 feet east from the south ¼ corner of Section 23
28	S	4	W	W.M.	23	SE SW	N. Myrtle Creek – 840 feet north and 310 feet west from the south ¼ corner of Section 23

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 diversion of one-eightieth of one cubic foot per second, 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:

Township		Range		Meridian	Sec	¼ ¼	Acres
28	S	4	W	W.M.	23	NE SW	Domestic
28	S	4	W	W.M.	23	SE SW	6.7

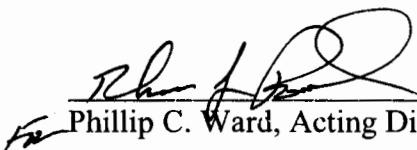
This certificate describes that portion of the water right confirmed by Certificate 49241, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 23 2004, approving Transfer Application 9391.

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.

WITNESS the signature of the Water Resources Director,

affixed JUNE 23, 2004


 Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80770