

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN O. SETHER
c/o DANIEL J. & DONNA J. SETHER
P.O. BOX 195
GLENDALE, OREGON 97442

confirms the right to use the waters of COW CREEK, a tributary of, SOUTH UMPQUA RIVER for the purpose of IRRIGATION OF 5.0 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for DOUGLAS County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 11, at page 1. The date of priority is SEPTEMBER 17, 1903.

The right is limited to not more than 0.07 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION DESCRIBED AS SETHER DITCH - NE 1/4 SW 1/4, SECTION 35, TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.; 860 FEET SOUTH AND 1450 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 35).

The points of diversion are located as follows:

DITCH - SW 1/4 NE 1/4, AS PROJECTED WITHIN REDFIELD DLC 38, SECTION 35, TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.; 870 FEET SOUTH AND 850 FEET WEST FROM THE ENE CORNER OF DLC 38; AND

COW CREEK PUMP - SE 1/4 SE 1/4, SECTION 34, TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.; 700 FEET NORTH AND 525 FEET WEST FROM THE SE CORNER OF SECTION 34.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-SEVENTIETH 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 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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.

T-5353.SB

Certificate Number 80801

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SE 1/4 SE 1/4 5.0 ACRES
SECTION 34
TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.

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; and

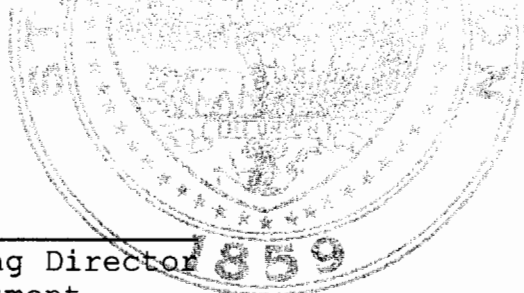
The type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by Orders of the Water Resources Director entered NOVEMBER 9, 1979 AND NOVEMBER 18, 1983, and together with Certificates 48940 AND 52537, supersedes certificate 36030, 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 shall be subject to all other conditions and limitations contained in said decree.

Issued July 22, 2004.



Philip C. Ward, Acting Director 859
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80801.

T-5353.SB