

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HOWARD AND GLADYS GIBSON
ROUTE 3
JUNCTION CITY, OREGON 97448

confirms the right to use the waters of HULBERT LAKE, a tributary of the LONG TOM RIVER, for IRRIGATION OF 102.1 ACRES.

This right was perfected under Permit 17049. The date of priority is JUNE 14, 1946. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.28 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located as follows:

HULBERT LAKE: SE 1/4 SE 1/4, SECTION 11, T 15 S, R 5 W, W.M.; 830 FEET NORTH AND 1280 FEET WEST FROM SE CORNER, SECTION 11.

HULBERT LAKE: SE 1/4 SE 1/4, SECTION 11, T 15 S, R 5 W, W.M.; 560 FEET NORTH AND 1020 FEET WEST FROM SE CORNER, SECTION 11

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 a second cubic foot a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use to which this right is appurtenant is as follows:

NE 1/4 SE 1/4	11.2 ACRES
SE 1/4 SE 1/4	3.6 ACRES
SECTION 11	

NE 1/4 SW 1/4	2.0 ACRES
NW 1/4 SW 1/4	3.0 ACRES
SW 1/4 SW 1/4	8.0 ACRES
SE 1/4 SW 1/4	21.4 ACRES
SW 1/4 SE 1/4	8.0 ACRES
SECTION 12	

NW 1/4 NE 1/4	12.3 ACRES
NE 1/4 NW 1/4	16.6 ACRES
NW 1/4 NW 1/4	16.0 ACRES
SECTION 13	

TOWNSHIP 15 SOUTH, RANGE 5 WEST, W.M.

Land on which water is to be used is a part of that more explicitly described by appropriator as follows:

The east half of the Southeast quarter of Section 11 and the West half of the Southwest quarter of Section 12 in Township 15 South of Range 5 West of the Willamette Meridian. Also commencing at the corner of Sections 11, 12, 13, and 14 in said Township and Range; thence East 20.00 chains, thence North 40.00 chains; thence East 12.25 chains, thence South 16.50 chains, thence West 3.25 chains, thence South 45° West 6.50 chains, thence South 2° West 31.00 chains, thence West 23.20 chains, and thence North 13.50 chains to the place of beginning, containing 65 acres; containing in all 225 acres, more or less, in Lane County, State of Oregon.

2-Roth Tract:

All that portion of the following described property lying South and West of the present highway, known as Pacific Highway 99W: Beginning at a point 12.25 chains East of the Northwest Corner of the Southeast quarter of the Northwest quarter of Section Twelve, Township Fifteen South, Range five West of the Willamette Meridian, thence South 36.50 chains, thence West 3.25 chains, thence South 45° West 6.50 chains, thence South 2° West 31 chains, thence West 23.20 chains, thence South 6.50 chains, thence East 25 chains, thence North 11.50 chains, thence East 35 chains, thence North 68.50 chains, and thence west 27.75 chains to the place of beginning, in Lane County, Oregon.

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

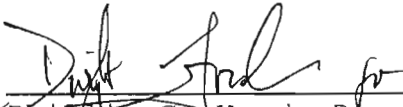
This certificate describes that portion of the water right confirmed by Certificate 37988, State Record of Water Right certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUGUST 5, 1985, approving Transfer 5649.

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 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

JUL 06 2007


Philip C. Ward, Director
Oregon Water Resources Department



Recorded in State Record of Water Right Certificates Number 83389

T-5649-rr-37988.JWG/LHN