

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Barbara Bales Et Al
P.O. Box 603
Cave Junction, Oregon 97523

confirms the right to use the waters of Althouse Creek, a tributary of Illinois River, for IRRIGATION of 34.5 acres, Domestic and Stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Josephine County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 4, at Page 427. The date of priority is 1856 for 10.5 acres and 1895 for 24.0 acres.

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 (cfs), being 0.56 cfs through the Morey Ditch if available at the original point of diversion, the Houck and George Ditch, and 0.21 cfs through the Houck and George Ditch.

The points of diversion are located as follows:

Morey Ditch - located in NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 18, T40S, R7W, W.M.; 860 feet South and 2090 feet East from the NW corner of Sec. 18

Houck and George Ditch - located in the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 8, T40S, R7W, W.M.; 180 feet South and 1180 feet East from the West $\frac{1}{4}$ Corner of Section 8.

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 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.

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

1895 priority Morey Ditch

3.1 acres NE ¼ NE ¼ as projected within J. Thomas DLC 45
20.9 acres NW ¼ NE ¼ as projected within J. Thomas DLC 45
SECTION 13
TOWNSHIP 40 SOUTH, RANGE 8 WEST, W.M.

1856 priority Houck and George Ditch

0.1 acre NE ¼ NE ¼ as projected within J. Thomas DLC 45
2.5 acres SE ¼ NW ¼
7.5 acres NE ¼ SW ¼

SECTION 13
TOWNSHIP 40 SOUTH, RANGE 8 WEST, W.M.

0.4 acre NW ¼ NW ¼ as projected within J. Thomas DLC 37
SECTION 18
TOWNSHIP 40 SOUTH, RANGE 7 WEST, W.M.


This certificate supersedes Certificate 81142 to correct a scrivener's error in the place of use. It describes that portion of the water right confirmed by Certificate 53116, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered February 17, 2005, approving Transfer Application T-9724.

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 contained in said decree.

WITNESS the signature of the Water Resources Director,

affixed SEP 01 2009.


Phillip C. Ward, Director *tw*

Recorded in State Record of Water Right Certificates numbered 85789