

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **MODOC ORCHARD COMPANY**
97501

of **P. O. Box 56, Medford**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Rogue River**

a tributary of **Pacific Ocean** for the purpose of **temperature control of 44.4 acres**

under Permit No. **35934** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **March 2, 1972**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **6.42 cubic feet per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **Lot 7 (NE 1/4 NW 1/4), Section 6, T. 36 S., R. 1 W., W. M., 420 feet South and 1810 feet East from NW Corner, Section 6.**

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 ----- of one cubic foot per second per acre,

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

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

- 7.2 acres SW 1/4 NW 1/4
- 2.4 acres SE 1/4 NW 1/4
- 1.8 acres NE 1/4 SW 1/4
- 25.7 acres NW 1/4 SW 1/4
- All as projected within Mattoon DLC 37
- 2.3 acres NW 1/4 SW 1/4
- 5.0 acres SW 1/4 SW 1/4
- Both as projected within Nye DLC 38
- Section 12
- T. 36 S., R. 2 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed
this date. **January 27, 1976**

James E. Sexson
Water Resources Director XXXXXXXXXX
State Engineer