

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HARRY M. KIMBALL

of Rt. 1, Box 79, Applegate, State of Oregon, 97530, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Applegate River

a tributary of Rogue River for the purpose of irrigation of 8.7 acres and supplemental irrigation of 5.7 acres

under Permit No. 22863 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 18, 1954

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 0.18 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 in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Long DLC 39, Section 30, T. 38 S., R. 3 W., W. M., Kubli Ditch-2510 feet South and 3370 feet West from the NE Corner, Long DLC 39

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-eightieth 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 4 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year from April 2 to October 31 of each year,

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:

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Primary

2.4 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

6.3 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$

Supplemental

5.7 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 23

see memo in file 29070

T. 38 S., R. 4 W., W. M.

Land on which water is to be used is a part of that described as follows:
Copied from Warranty Deed, Volume 310, Page 268, Jackson County Deed Records.
Government Lots 2 and 3 in Section 23, T. 38 S., R. 4 W., W. M. in Jackson
County, Oregon; also, beginning at the NE Corner of DLC No. 38, in T. 38 S.,
R. 4 W., W. M. in Oregon; thence South 15 $\frac{1}{2}$ degrees West 4 chains and 66 links;
thence South 41 degrees West 6 chains; thence South 54 $\frac{1}{2}$ degrees West 10 chains;
thence South 80 degrees West 8 chains to a post near the confluence of Humbug
Creek with Applegate Creek; thence South 45 $\frac{3}{4}$ degrees East along the West
bank of Applegate Creek 29 chains and 59 links to the SE Corner of said DLC 38;
thence North along the East boundary line of said DLC 38, 36 chains and 85
links to the place of beginning.

Commencing at the Southeast Corner of Government Lot 1, Section 22, Township
38 South of Range 4 West of the Willamette Meridian in Jackson County, Oregon,
and from said point running North on the Section line between Sections 22 & 23,
said Township and Range 450 feet; thence East 293 feet, which shall be the
true point of beginning; thence East to the Westerly side line of the right-
of-way of the county road known as the Humbug Creek Road; thence in a general
southwesterly direction along the westerly side line of said road to the line
which separates the north half from the south half of the northwest quarter of
said Section 23; thence West on said line separating said north half from the
south half of the Northeast Quarter of Said Section 23, 693 feet more or less,
to the east line of Donation Land Claim 38; said Township and Range; thence north
to the point of beginning.

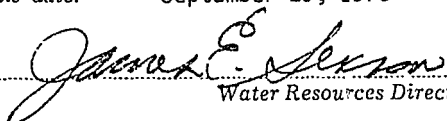
This certificate is issued to confirm a change in point of diversion approved
by an order of the Water Resources Director entered February 15, 1966 and
supersedes certificate of water right recorded on Page 20883, Volume 15, State
Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the
water right in reference to ORS 540.610.

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place
of use herein described. and is subject to the existing minimum flow policies
established by the Water Policy Review Board.*

WITNESS the signature of the Water Resources Director, affixed

this date. September 29, 1978


Water Resources Director