

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

W.R. KINCAID

of Route 1, Box 70, Ashland, State of Oregon 97520, has a right to the use of the waters of Neil Creek

a tributary of Bear Creek for the purpose of irrigation of 1.0 acre and domestic in Tract 1 and irrigation of 32.0 acres in Tract 2,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from 1854 for Tract 1 and 1872 for Tract 2,

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.013 cubic foot per second for Tract 1 and 0.40 cfs for Tract 2.

The point of diversion is located in the NE 1/4 SW 1/4, Section 30, T39S, R2E, WM; Lower Kincaid Ditch, 307 feet South and 1497 feet East from W 1/4 Corner, Section 30.

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

Tract 1: 1.0 acre SE 1/4 NW 1/4 Section 30; Tract 2: 28.0 acres SW 1/4 SW 1/4 Section 30, 4.0 acres NW 1/4 NW 1/4 Section 31; Township 39 South, Range 2 East, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 15974, Volume 13, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered on August 23, 1982, approving Transfer Application 5083 and on December 15, 1982, approving Transfer Application 5129.

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.

And said right shall be subject to all other conditions and limitations contained in said decree. 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 Water Resources Director, affixed

this date February 24, 1983

James E. Keenan Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46, page 51457

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