

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* HARRY & DAVID

of PO Box 712, Medford, State of OR 97501, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Bear Creek

a tributary of Rogue River for the purpose of irrigation of 95.8 acres

under Permit No. 1072 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 February 5, 1912

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 1.2 cubic feet per second, if available at the original points of diversion; SE 1/4 SW 1/4, SW 1/4 SW 1/4, Section 30, T38S, R1E, WM; North 70 degrees, 36 minutes East, 2058.8 feet; 1150 feet North and 28 feet East both from SW *

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 1/4 SE 1/4, as projected within Dingman DLC 72, NE 1/4 SE 1/4 as projected within T. White DLC 73; Southern - 1130 feet North and 60 feet West; Northern - 2000 feet North and 980 feet West both from SE corner Section 25.

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-eighthieth 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season 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:

*corner Section 30, NE 1/4 SE 1/4, Section 25, T38S, R1W, WM; South 9 degrees, 12 minutes West, 3588.8 feet from NE corner Section 25

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Southern Diversion Point

3.2 acres NE 1/4 SE 1/4
0.5 acre SE 1/4 SE 1/4
Section 25
Township 38 South, Range 1 West, WM.

27.1 acres NW 1/4 SW 1/4
18.2 acres SW 1/4 SW 1/4
2.0 acres SE 1/4 SW 1/4
Section 30
Township 38 South, Range 1 East, WM.

Northern Diversion Point

9.8 acres SW 1/4 NE 1/4
11.9 acres SE 1/4 NE 1/4
20.8 acres NE 1/4 SE 1/4
1.8 acre NW 1/4 SE 1/4
0.5 acre SE 1/4 SE 1/4
Section 25
Township 38 South, Range 1 West, WM.

This certificate is issued to confirm a change in place of use and point of diversion approved by orders of the Water Resources Director entered May 31, 1977 and August 4, 1981 and together with certificate of water right recorded at page 44829, Volume 36, State Record of Water Right Certificates, supersedes certificate 20786.

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 purposes aforesaid is restricted to the lands or place of use herein described. and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. June 6, 1986

/s/ William H. Young
Water Resources Director