

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

THOMAS J. AND GRACE M. SMITH

of 13251 Hwy. 238, Jacksonville, State of OR 97530, has a right to the use of the waters of Applegate River

a tributary of Rogue River for the purpose of irrigation of 3.7 acres

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 1866

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 0.09 cubic foot per second, if available at the original point of diversion; SE 1/4 SW 1/4, Section 30, T38S, R3W, WM; Fowler & Keeler Ditch - 2510 feet South and 3370 feet West from NE corner DLC 39

The point of diversion is located in the SW 1/4 NE 1/4, Section 26, T38S, R4W, WM; 1380 feet South and 1950 feet West from NE corner Section 26.

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

1.1 acres SW 1/4 SE 1/4 Section 23

2.6 acres NW 1/4 NE 1/4 Section 26 Township 38 South, Range 4 West, WM

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered September 27, 1979, and together with certificate of water right recorded at page 48878, Volume 42, State Record of Water Right Certificates, supersedes certificate 43988.

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 December 12, 19 86

/s/ William H. Young Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 55255