

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

J.C. KINCAID

of Williams, State of OR 97544, has a right to the use of the waters of China Creek

a tributary of Munger Creek for the purpose of irrigation of 15.0 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 1877

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 0.22 cubic foot per second

The point of diversion is located in the Kincaid Ditch - NW 1/4 SW 1/4, Section 33, T38S, R5W, WM; 1000 feet South and 1000 feet East from W 1/4 corner Section 33.

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

15.0 acres SE 1/4 SW 1/4 Section 33 Township 38 South, Range 5 West, WM

Note: Subject to the provisions of Decree of the Circuit Court of Jackson County, dated September 27, 1924 on Mandate from Supreme Court, in re J.W. Turvey, Contestant, vs. J.C. Kincaid, Contestee.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 16355, Volume 13, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on October 19, 1986 approving Transfer application 5829.

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, 1986

/s/ WILLIAM H. YOUNG Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 55289