

## STATE OF OREGON

COUNTY OF

JACKSON

## CERTIFICATE OF WATER RIGHT

**This Is to Certify,** *That* NORTON L. SMITH

of 3030 Upper Applegate Rd., Jacksonville, State of OR 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 38.2 acres

under Permit No. E-225 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 August 3, 1914 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 0.48 cubic foot per second, if available at the original point of diversion, Comstock Ditch

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 SW 1/4, Section 10, T39S, R3W, WM; 1030 feet North and 1150 feet West from S 1/4 corner Section 10.

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,

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:

SEE NEXT PAGE

0.7 acre SW 1/4 SW 1/4	6.5 acres NE 1/4 NW 1/4
14.0 acres SE 1/4 SW 1/4	10.0 acres NW 1/4 NW 1/4
Section 3	7.0 acres SE 1/4 NW 1/4
	Section 10
Township 39 South, Range 3 West, WM	

This certificate is issued to confirm changes in point of diversion and place of use approved by an order of the Water Resources Director entered January 17, 1979, approving transfer application 3974, and together with an order also entered January 17, 1979 canceling a portion of the right described by certificate of water right recorded at page 2433, Volume 3, State Record of Water Right Certificates, supersedes said certificate.

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. April 24, 1987*

*/s/ William H. Young*  
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*Water Resources Director*

Recorded in State Record of Water Right Certificates, Volume 51 , page 56104