

STATE OF OREGON
COUNTY OF JACKSON

Instream Lease
v. 54 p. 39 until 10-31-01

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that BENJAMIN F. AND LAURA S. ELLIS, of 18285 NORTH APPLGATE ROAD, GRANTS PASS, OREGON 97526, has a right to the use of the waters of APPLGATE RIVER, a tributary of ROGUE RIVER, for the purpose of IRRIGATING 30.24 ACRES.

The right has been perfected under Permit 17890. The date of priority is JULY 21, 1947. The right is limited to not more than 0.38 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NE 1/4, SECTION 21, T 38 S, R 4 W, W.M.;
1280 FEET SOUTH & 1830 FEET WEST FROM NE CORNER SECTION 21.

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, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year, FROM APRIL 2 TO OCTOBER 31 OF EACH YEAR.

The right 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, and to which such right is appurtenant, is as follows:

NW 1/4 NE 1/4 2.64 ACRES
NE 1/4 NW 1/4 27.60 ACRES
SECTION 21
TOWNSHIP 38 SOUTH, RANGE 4 WEST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

This certificate is issued to confirm THE REMAINING RIGHT AND a change in POINT OF DIVERSION AND PLACE OF USE approved by orders of the Water Resources Director entered SEPTEMBER 17, 1976, AND SEPTEMBER 24, 1976, and supersedes certificate 22752, State Record of Water Right Certificates.

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.

WITNESS the signature of the Water Resources Director, affixed this date AUGUST 29, 1988.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57595

T-3431