

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARL AND JANE SMITH
11172 EAST EVANS CREEK ROAD
ROGUE RIVER, OR 97537

CANCELED

confirms the right to use the waters of EVANS CREEK, a tributary of ROGUE RIVER, for IRRIGATING 1.8 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JACKSON COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at Page 1. The date of priority is 1896.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.05 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:

NE 1/4 NE 1/4, SECTION 12, T 35 S, R 4 W, W.M.; 196 FEET SOUTH AND 616 FEET EAST FROM THE NW CORNER OF NE 1/4 NE 1/4, SECTION 12.

A description of the place of use to which this right is appurtenant is as follows:

SE 1/4 SE 1/4 1.12 ACRES
SECTION 1

NE 1/4 NE 1/4 0.68 ACRE
SECTION 12
TOWNSHIP 35 SOUTH, RANGE 4 WEST, W.M.

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 23, 1995, and together with Certificate 68497, supersedes Certificate 16115, 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.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 7 ,
1996.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72139.

T-7261.JT

Canceled Sp. Or. Vol. 50 P. 853