

STATE OF OREGON  
COUNTY OF JACKSON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH F. AND SHIRLEY J. SMITH  
24954 HWY 62  
TRAIL, OR 97541

confirms the right to use the waters of ROGUE RIVER, a tributary of THE PACIFIC OCEAN, for IRRIGATION OF 0.4 ACRE.

This right was perfected under Permit 7035. The date of priority is NOVEMBER 19, 1925. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.005 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 NW 1/4, SECTION 2, T 34 S, R 1 W, W.M.; 980 FEET SOUTH AND 280 FEET EAST FROM THE NW CORNER OF SECTION 2.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

NW 1/4 NW 1/4 0.4 ACRE  
SECTION 2  
TOWNSHIP 34 SOUTH, RANGE 1 WEST, W.M.

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

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.

This certificate is issued to confirm a change in POINT OF DIVERSION, approved by an order of the Water Resources Director entered OCTOBER 29, 1985, and together with Certificate 74016, supersedes Certificate 47175, 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.

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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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JANUARY 28, 1997.

**/S/ Richard D. Bailey**

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 74017.

T-5629B.DEK