

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BEN C. GERWICK, JR. AND MARTELLE B. GERWICK
5874 MARGARIDO DRIVE
OAKLAND, CA 94618

confirms the right to use the waters of the LITTLE APPLGATE RIVER, a tributary of the APPLGATE RIVER, for the purpose of IRRIGATING 3.58 ACRES.

The right has been 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 1854.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.10 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION, 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 NW 1/4, AS PROJECTED WITHIN DLC 37, SECTION 10, T 39 S, R 3 W,
W.M.; 450 FEET SOUTH AND 300 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION
10.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under this subject right, and shall not exceed 0.10 cubic foot per second.

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

SE 1/4 SW 1/4 3.58 ACRES
AS PROJECTED WITHIN DLC 37
SECTION 3
TOWNSHIP 39 SOUTH, RANGE 3 WEST, W.M.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the wateruser is entitled;

the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered OCTOBER 14, 1986, and together with Certificate 56492, supersedes Certificate 16391, State Record of Water Right Certificates.

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T-5832.JW

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

WITNESS the signature of the Water Resources Director, affixed MARCH 4, 1997.

/S/ Richard D. Bailey

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 74183.