

STATE OF OREGON

COUNTY OF JACKSON

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NYE DITCH WATER USERS
C/O HOWARD BISHOP
1520 MILL CREEK ROAD
PROSPECT, OREGON 97536

Superseded by 76185
"CERTIFICATE NO."

confirms the right to use the waters of MILL CREEK, a tributary of ROGUE RIVER, for IRRIGATING 42.45 ACRES, SUPPLEMENTAL IRRIGATION FOR 0.7 ACRE AND DOMESTIC USE FOR ELEVEN (11) FAMILIES AND A SUPPLEMENTAL DOMESTIC SUPPLY FOR ONE FAMILY.

This right was perfected under Permit 14809. The date of priority is MARCH 19, 1941. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.66 CUBIC FOOT PER SECOND, BEING 0.54 CFS FOR IRRIGATION AND 0.12 CFS FOR DOMESTIC, 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 SE 1/4, SECTION 28, T 32 S, R 3 E, W.M.; 1860 FEET NORTH AND 2690 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 28.

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.

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:

<u>PRIMARY</u>			
SW 1/4 NE 1/4	4.0	ACRES	
SE 1/4 NE 1/4	1.0	ACRE	
SECTION 1			
NW 1/4 NE 1/4		DOMESTIC	
SW 1/4 NE 1/4	0.33	ACRE	
SE 1/4 NW 1/4	7.82	ACRES AND DOMESTIC	
NE 1/4 SW 1/4		DOMESTIC	
SECTION 10			
NW 1/4 NE 1/4	1.9	ACRES	
SW 1/4 NE 1/4	3.4	ACRES	
NE 1/4 NW 1/4	10.4	ACRES	
SE 1/4 NW 1/4	5.4	ACRES	
SECTION 11			
NW 1/4 NE 1/4	8.2	ACRES	
SECTION 16			
TOWNSHIP 33 SOUTH, RANGE 2 EAST, W.M.			

SEE NEXT PAGE

SUPPLEMENTAL
SW 1/4 NE 1/4 0.7 ACRE
SECTION 11
TOWNSHIP 33 SOUTH, RANGE 2 EAST, W.M.

This certificate is issued to confirm a change in USE AND PLACE OF USE approved by two orders of the Water Resources Director entered MAY 23, 1978, and supersedes Certificate 27741, 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 MARCH 31, 1997.

/S/ Richard D. Bailey

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 74211.

T-2624 & T-2626.LMJ