

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH J. McALEAVEY
380 CHENEY CREEK ROAD
GRANTS PASS, OR 97527

confirms the right to use the waters of CHENEY CREEK, a tributary of the APPLGATE RIVER, for IRRIGATING 5.5 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JOSEPHINE COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at Page 24. The date of priority is DECEMBER 15, 1893.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.09 CUBIC FOOT PER SECOND, if available at the original point of diversion; NW 1/4 NE 1/4, SECTION 18, T 37 S, R 6 W, W.M.; 460 feet South and 440 feet East from N 1/4 Corner of Section 18, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

POD #1 - SE 1/4 SE 1/4, 1050 FEET NORTH AND 1000 FEET WEST, POD #2 - SE 1/4 SE 1/4, 800 FEET NORTH AND 1070 FEET WEST, (ADDITIONAL) POD #3 - SE 1/4 SE 1/4, 620 FEET NORTH AND 1200 FEET WEST, ALL FROM THE SE CORNER SECTION 7; ALL BEING WITHIN SECTION 7, TOWNSHIP 37 SOUTH, RANGE 6 WEST, W.M.

The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right, and SHALL NOT EXCEED 0.09 CUBIC FOOT PER SECOND.

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

SE 1/4 SE 1/4 5.5 ACRES
SECTION 7
TOWNSHIP 37 SOUTH, RANGE 6 WEST, W.M.

This certificate is issued to confirm a change in ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered JANUARY 26, 1987, and supersedes Certificate 54523, 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.

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.

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

WITNESS the signature of the Water Resources Director, affixed MAY 13, 1997.

/S/ Richard D. Bailey

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 74295.

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