

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DUANE SMITH
NORTH MYRTLE ROUTE, BOX 242
MYRTLE CREEK, OREGON 97457

confirms the right to use the waters of EAST FORK OF FROZEN CREEK a tributary of NORTH MYRTLE CREEK, for IRRIGATION OF 22.3 ACRES.

This right was perfected under Permit 41808. The date of priority is MARCH 2, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.28 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SW 1/4 NE 1/4, NW 1/4 SE 1/4, SECTION 32, TOWNSHIP 28 SOUTH, RANGE 4 WEST, W.M.; FROZEN CREEK #4 - 3020 FEET NORTH AND 950 FEET EAST; FROZEN CREEK #5 - 2540 FEET NORTH AND 510 FEET EAST; FROZEN CREEK #6 - 1830 FEET NORTH AND 40 FEET EAST; ALL FROM THE S 1/4 CORNER OF SECTION 32.

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 2 1/2 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:

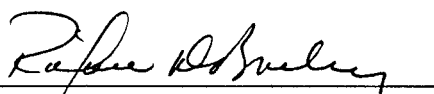
SW 1/4 NE 1/4	6.7 ACRES
NW 1/4 SE 1/4	14.4 ACRES
SW 1/4 SE 1/4	1.2 ACRES
SECTION 32	
TOWNSHIP 28 SOUTH, RANGE 4 WEST, W.M.	

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered FEBRUARY 18, 1982, and together with THE REMAINING RIGHT PERFECTED TO THE SATISFACTION OF THE WATER RESOURCES DIRECTOR CONFIRMS THE USE OF WATER UNDER PERMIT NO. 41808.

The issuance of this 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. 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 SEPTEMBER 2, 1998.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75787.