STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEORGE BEERS and
ROGUE RIVER, OR 97537

KENNETH C. AND/OR DORA M. BAINES
9876 E. EVANS CREEK ROAD
ROGUE RIVER, OR 97537

confirms the right to use the waters of EVANS CREEK, a tributary of ROGUE RIVER, for DOMESTIC, STOCK AND IRRIGATION OF 3.0 ACRES.

This right was 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 16, at Page 523. The date of priority is 1896.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.05 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:

WILLIAMS AND WHALEN DITCH - SE 1/4 SE 1/4, SECTION 6, TOWNSHIP 35 SOUTH, RANGE 3 WEST, W.M.; 475 FEET NORTH AND 860 FEET WEST FROM THE SE CORNER OF SECTION 6.

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

NE 1/4 NE 1/4 1.5 ACRES
SE 1/4 NE 1/4 1.5 ACRES
SECTION 11
TOWNSHIP 35 SOUTH, RANGE 4 WEST, W.M.

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.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered SEPTEMBER 15, 1978, and ALONG WITH THE UNMODIFIED PORTION OF CERTIFICATE 42921 NOT INVOLVED IN TRANSFER NO. 4037, supersedes Certificate 42921, 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 JUNE 7, 1999.

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76182.

T-4037.SB

Cancelled by final order 6-10-99