

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JERRY SMITH
2183 ROGUE RIVER HWY
GOLD HILL, OREGON 97525

confirms the right to use the waters of the ROGUE RIVER, a tributary of PACIFIC OCEAN, for SUPPLEMENTAL IRRIGATION OF 9.0 ACRES.

This right was perfected under Permit 31066. The date of priority is NOVEMBER 18, 1965. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.11 CFS, (IF AVAILABLE AT THE AUTHORIZED POINT OF DIVERSION, DESCRIBED AS LOCATED WITHIN THE LOT 6, SE 1/4 NW 1/4, SECTION 11, TOWNSHIP 36 SOUTH, RANGE 3 WEST, W.M.; 3740 FEET NORTH AND 2260 FEET EAST FROM THE SW CORNER, SECTION 11), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NW 1/4, AS PROJECTED WITHIN DLC 43, SECTION 25, TOWNSHIP 36 SOUTH, RANGE 4 WEST, W.M.; 1908 FEET NORTH AND 1543 FEET WEST OF THE ESE CORNER DLC 43.

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 4 1/2 acre-feet for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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 1.4 ACRES
SE 1/4 NW 1/4 7.6 ACRES
BOTH AS PROJECTED WITHIN DLC 43
SECTION 25
TOWNSHIP 36 SOUTH, RANGE 4 WEST, W.M.

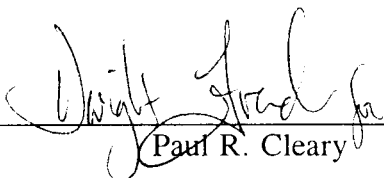
The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered OCTOBER 2, 1996, and together with Certificate 72952, supersedes Certificate 52206, 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.

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 FEBRUARY 22, 2001.


Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 76787.