

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

APPLEGATE INVESTMENT COMPANY
BY BILLY JOE HUNTER
ROUTE 1, BOX 22-D
JACKSONVILLE, OREGON 97530

confirms the right to use the waters of FORREST CREEK AND HUNTER AND BEST RESERVOIRS NOS. 1 AND 2 CONSTRUCTED UNDER APPLICATION NO. R-34097, PERMIT NO. R 2370, a tributary of the APPLEGATE RIVER for IRRIGATION OF 1.2 ACRES and SUPPLEMENTAL IRRIGATION OF 36.8 ACRES.

This right was perfected under Permit 26859. The date of priority is JULY 5, 1960. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.475 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:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ AS PROJECTED WITHIN BISHOP DLC 42, SECTION 23,
T 38 S, R 3 W, W.M..

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 $\frac{1}{2}$ acre-feet for each acre irrigated during the irrigation season of each year FROM DIRECT FLOW AND STORAGE FROM RESERVOIRS CONSTRUCTED UNDER PERMIT NO. R 2370; PROVIDED FURTHER THAT THE RIGHT TO THE USE OF DIRECT FLOW IS LIMITED TO THE PERIOD WHEN THE FLOW OF THE ROGUE RIVER IS MORE THAN 735 C.F.S. AT ITS MOUTH.

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>	<u>SUPPLEMENTAL</u>
NE $\frac{1}{4}$ SW $\frac{1}{4}$		9.8 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$		4.4 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.8 ACRE	17.1 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.2 ACRE	5.5 ACRES
ALL AS PROJECTED WITHIN BISHOP DLC 42		
SECTION 23		
TOWNSHIP 38 SOUTH RANGE 3 WEST, W. M.		

PRIMARYSUPPLEMENTAL

NE¼ NW¼ 0.1 ACRE

NW¼ NW¼ 0.1 ACRE

BOTH AS PROJECTED WITHIN BISHOP DLC 42

SECTION 26

TOWNSHIP 38 SOUTH RANGE 3 WEST, W. M.

This certificate describes that portion of the water right confirmed by Certificate 32557 State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application 7776.


MAY 21 2001

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 May 21, 2001.



 Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 76925.