

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LINDA M. AND DAVID A. SHEPHERD
10920 SOUTH MYRTLE ROAD
MYRTLE CREEK, OREGON 97457

confirms the right to use the waters of SOUTH MYRTLE CREEK, a tributary of SOUTH UMPQUA RIVER, for IRRIGATION OF 3.3 ACRES.

This right was perfected under Permit 8310. The date of priority is APRIL 5, 1927. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.041 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION DESCRIBED AS LOCATED: SE 1/4 NE 1/4, SECTION 20, TOWNSHIP 29 SOUTH, RANGE 3 WEST, W.M.; NORTH 15 DEGREES WEST 760 FEET FROM THE SE CORNER OF THE SE 1/4 NE 1/4 OF SECTION 20), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 6 (SW 1/4 SE 1/4), SECTION 19, TOWNSHIP 29 SOUTH, RANGE 3 WEST, W.M.; 450 FEET NORTH AND 30 FEET EAST OF THE SOUTH 1/4 CORNER OF SECTION 19.

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 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:

LOT 7 (SE 1/4 SW 1/4) 3.3 ACRES
SECTION 19
TOWNSHIP 29 SOUTH, RANGE 3 WEST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

T-8493B.SB

Certificate Number 79639

The water users 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 prior to beginning construction and shall be installed under the general supervision of the Department.

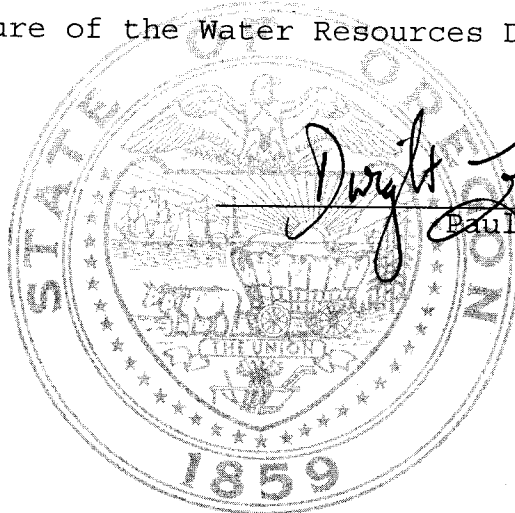
The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered AUGUST 30, 2000, and supersedes a portion of Certificate 76359, 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 September 26, 2002.



Dwight Ford
Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79639.

T-8493B.SB