

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TOMMY M. AND NADEAN E. SMITH
PO BOX 100
DAYS CREEK, OREGON 97429

confirms the right to use the waters of the SOUTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for the IRRIGATION OF 10.6 ACRES.

This right was perfected under Permit 20288. The date of priority is April 17, 1951. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.13 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:

NE 1/4 SW 1/4, SECTION 9, AS PROJECTED WITHIN J. THORN DLC 44,
TOWNSHIP 30 SOUTH, RANGE 4 WEST, W.M.; 2250 FEET NORTH AND 2160
FEET EAST FROM THE SW CORNER OF SECTION 9.

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:

NE 1/4 NW 1/4 9.5 ACRES
NW 1/4 SW 1/4 1.1 ACRES
BOTH AS PROJECTED WITHIN DLC 44

SECTION 9

TOWNSHIP 30 SOUTH, RANGE 4 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.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

The diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the user is entitled; and

The type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

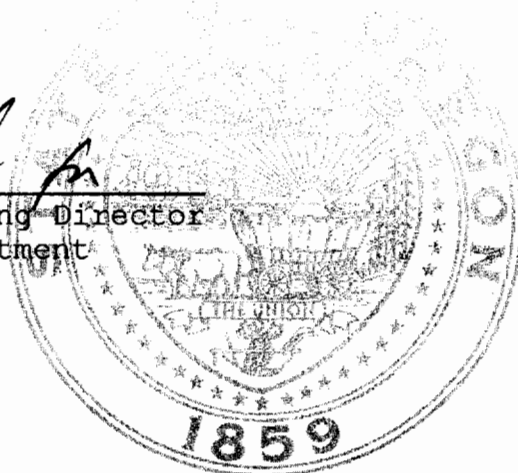
This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered JUNE 15, 1987, and together with Certificate 56461, supersedes Certificate 24218, State Record of Water Right Certificates.

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.

Issued July 22, 2004.


Phillip C. Ward, Acting Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80548.

T-5914.SB