

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GREGORY L. GILPIN
11833 GALICE ROAD
MERLIN, OREGON 97532

confirms the right to use the waters of AN UNNAMED STREAM, a tributary of SOUTH FORK ROCKY GULCH, for DOMESTIC USE FOR ONE FAMILY INCLUDING THE IRRIGATION OF LAWN AND GARDEN NOT TO EXCEED ONE-HALF ACRE IN AREA.

This right was perfected under Permit 41107. The date of priority is SEPTEMBER 15, 1976. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.005 CUBIC FOOT PER SECOND (IF LAWFULLY AVAILABLE AT THE ORIGINAL POINT OF DIVERSION DESCRIBED AS BEING WITHIN THE NW 1/4 NE 1/4, SECTION 35, TOWNSHIP 34 SOUTH, RANGE 8 WEST, W.M.; 800 FEET SOUTH AND 2250 FEET WEST FROM THE NE CORNER OF SECTION 35), 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 NW 1/4, SECTION 35, TOWNSHIP 34 SOUTH, RANGE 8 WEST, W.M.; 1200 FEET SOUTH AND 3440 FEET WEST FROM THE NE CORNER, SECTION 35.

The use shall conform to such reasonable rotation system as may be ordered by the proper state authority.

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



TOWNSHIP 34 SOUTH, RANGE 8 WEST, W.M.

The place of use is more specifically described as being within Lot 7, Block 4, Galice Sub-division, Josephine County, Oregon.

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 required by the Department, 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 prior to beginning construction and shall be installed under the general supervision of the Department.

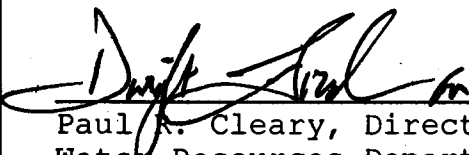
The extent of use under this right for irrigation of lawn and garden not to exceed one-half acre in area, along with the irrigation of lawn and garden, not to exceed one-half acre under Certificate 80607, shall not exceed one-half acre in area.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 30, 2003, and supersedes Certificate 79914, 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 flow.

Issued FEBRUARY 19, 2004


Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80606.