

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALAN P & JENNIFER A SIMONIS
198 MCKEE LN
ROSEBURG, OREGON 97470

confirms the right to use the waters of UMPQUA RIVER, a tributary of PACIFIC OCEAN, for IRRIGATION OF 198.0 ACRES.

This right was perfected under Permit 50194. The date of priority is OCTOBER 28, 1987. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.48 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

SW 1/4 SW 1/4, SECTION 18, TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.;
2200 FEET SOUTH AND 950 FEET EAST FROM THE WEST 1/4 CORNER OF
SECTION 18; AND

NE 1/4 NW 1/4, SECTION 18, TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.;
1420 FEET NORTH AND 1920 FEET EAST FROM THE WEST 1/4 CORNER OF
SECTION 18.

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 ½ 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.

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.

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

LOT 7 (SW 1/4 SW 1/4) 5.0 ACRES
SECTION 7
TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

NE 1/4 NW 1/4 4.0 ACRES
AS PROJECTED WITHIN DLC 60
LOT 10 (NW 1/4 NW /14) 4.4 ACRES
NW 1/4 NW 1/4 33.6 ACRES
SW 1/4 NW 1/4 39.8 ACRES
SE 1/4 NW 1/4 14.0 ACRES

ALL AS PROJECTED WITHIN DLC 60
LOT 9 (SE 1/4 NW 1/4) 3.0 ACRES
LOT 8 (NE 1/4 SW 1/4) 10.8 ACRES

NE 1/4 SW 1/4 14.2 ACRES
NW 1/4 SW 1/4 14.2 ACRES
SW 1/4 SW 1/4 5.4 ACRES

ALL AS PROJECTED WITHIN DLC 60
SW 1/4 SW 1/4 6.6 ACRES
LOT 7 (SE 1/4 SW 1/4) 4.0 ACRES

SE 1/4 SW 1/4 3.0 ACRES
AS PROJECTED WITHIN DLC 60
SECTION 18
TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

NE 1/4 NE 1/4 18.0 ACRES
SE 1/4 NE /14 18.0 ACRES
BOTH AS PROJECTED WITHIN DLC 38

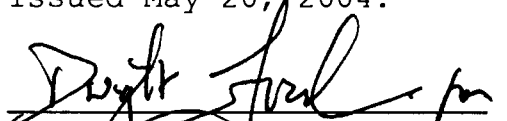
SECTION 13
TOWNSHIP 26 SOUTH, RANGE 7 WEST, W.M.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE POINTS OF DIVERSION AND SUPERSEDES CERTIFICATE 64711.

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 May 20, 2004.


Paul R. Cleary, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80700.