

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 29.7 ACRES.

This right was perfected under Permit 50068. The date of priority is FEBRUARY 19, 1987. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.37 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, AS PROJECTED WITHIN J. THORN DLC 44, SECTION 9, 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, **being further limited during the period July 15 through September 30 of each year to the irrigation of a non-commercial garden not to exceed one-half acre in area.**

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.

69016.SB


Certificate Number 80809

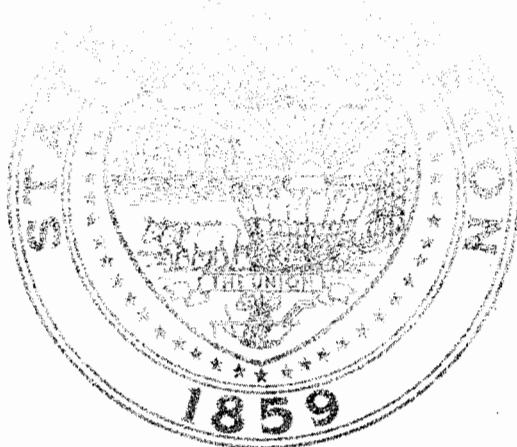
A description of the place of use to which this right is appurtenant is as follows:

NE 1/4 SW 1/4 8.1 ACRES
NW 1/4 SW 1/4 11.2 ACRES
BOTH AS PROJECTED WITHIN J. THORN DLC 44
LOT 13 (SW 1/4 SW 1/4) 4.0 ACRES
LOT 14 (SE 1/4 SW 1/4) 6.4 ACRES
SECTION 9
TOWNSHIP 30 SOUTH, RANGE 4 WEST, W.M.

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 80809.

69016.SB