

STATE OF OREGON
 COUNTY OF JACKSON
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHARLES A SMITH
 RUCH OR 97530

SUPERSEDED BY
CERT. NO. 86831

confirms the right to use the waters of the LITTLE APPLGATE R, a tributary of the APPLGATE R for IRRIGATION of 20 ACRES, and Livestock.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Special Order Volume 4, at Page 1. The date of priority is 1858.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.375 CUBIC FEET PER SECOND for a period of 24 hours once in every 12 days, subject to paragraph 66 of said decree.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
39 S	3 W	WM	14	NE NE			

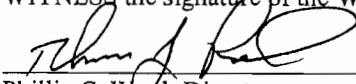
A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
38 S	3 W	WM	34	SW SW			20.00
LIVESTOCK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
38 S	3 W	WM	34	SW SW			

This certificate is issued in accordance with OAR 690-380-6010 to describe the water right for a non-completed change in point of diversion approved by an order of the Water Resources Director entered December 30, 2002, at Special Order Volume 56, Page 2258, approving Transfers 8941. This certificate confirms the change in point of diversion approved by an order at the State Engineer entered March 10, 1926 at Special Order Volume 1, Page 256 and corrects a scrivener's error in the description of the location of the point of diversion. This certificate supercedes Certificate 16404, 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.

WITNESS the signature of the Water Resources Director, affixed NOV 24 2004


 Phillip C. Ward, Director
 Water Resources Department

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.