

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NELSON M NYE; ELSIE PHIPPS;  
C. W., C.D., and CLEM CLARK  
PROSPECT OR 97536

confirms the right to use the waters of the NORTH FORK ROGUE RIVER and WASTE WATER from C.O.P. CO. FLUME, a tributary to the ROGUE RIVER for IRRIGATION 246.0 ACRES, LIVESTOCK, AND SUPPLEMENTAL IRRIGATION of 22.0 ACRES.

This right was perfected under Permit S-6119. The date of priority is OCTOBER 22, 1923. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.960 CUBIC FEET PER SECOND (cfs), being 3.35 cfs for irrigation and supplemental irrigation and 0.61 cfs for livestock, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	OTHER
32 S	3 E	WM	29	NW SW	NONE GIVEN
33 S	3 E	WM	6	NW NW	FROM C.O.P. CO FLUME

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH, of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to the water available at the point of diversion and shall not carry with it the right to compel the continuance of the waste water. 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:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
33 S	2 E	WM	2	SE SW	6.00
33 S	2 E	WM	9	NE SE	21.50
33 S	2 E	WM	9	NW SE	9.25
33 S	2 E	WM	9	SW SE	2.85
33 S	2 E	WM	9	SE SE	29.00
33 S	2 E	WM	10	NE NE	9.00
33 S	2 E	WM	10	NE NE	23.70
33 S	2 E	WM	10	NW NE	14.40
33 S	2 E	WM	10	NW NE	16.00
33 S	2 E	WM	10	SW NE	24.00
33 S	2 E	WM	10	SE NE	23.40
33 S	2 E	WM	10	NE NW	16.10
33 S	2 E	WM	10	SW NW	22.40
33 S	2 E	WM	10	SE NW	28.40

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
33 S	2 E	WM	9	SW SE	2.00
33 S	2 E	WM	10	NE NE	5.00
33 S	2 E	WM	10	SE NE	15.00

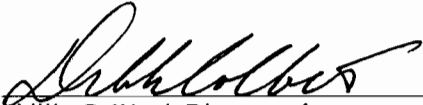
LIVESTOCK				
Twp	Rng	Mer	Sec	Q-Q
33 S	2 E	WM	2	SE SW
33 S	2 E	WM	9	NE SE
33 S	2 E	WM	9	NW SE
33 S	2 E	WM	9	SW SE
33 S	2 E	WM	9	SE SE
33 S	2 E	WM	10	NE NE
33 S	2 E	WM	10	NE NE
33 S	2 E	WM	10	NW NE
33 S	2 E	WM	10	NW NE
33 S	2 E	WM	10	SW NE
33 S	2 E	WM	10	SE NE
33 S	2 E	WM	10	NE NW
33 S	2 E	WM	10	SW NW
33 S	2 E	WM	10	SE NW

This certificate describes that portion of the water right confirmed by Certificate 13972, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 24 2009, approving Transfer Application T-10681.

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.

WITNESS the signature of the Water Resources Director, affixed NOV 24 2009.

  
 Phillip C. Ward, Director *pc*