

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN DAY
 PO BOX 488
 MEDFORD OR 97501

confirms the right to use the waters of the ROGUE RIVER, a tributary to the PACIFIC OCEAN for IRRIGATION of 143.68 ACRES.

This right was perfected under Permit S-23796. The date of priority is JULY 28, 1955. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.79 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|-----|-----|-----|-------|---|
| 36 S | 2 W | WM | 18 | SW NE | 2350 FEET SOUTH AND 1840 FEET WEST FROM THE NE 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 a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 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.

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

| IRRIGATION | | | | | |
|------------|-----|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 36 S | 2 W | WM | 17 | NE NW | 2.90 |
| 36 S | 2 W | WM | 17 | NW NW | 0.30 |
| 36 S | 2 W | WM | 17 | SW NW | 9.70 |
| 36 S | 2 W | WM | 17 | SE NW | 8.40 |
| 36 S | 2 W | WM | 18 | NE NE | 7.70 |
| 36 S | 2 W | WM | 18 | NW NE | 2.50 |
| 36 S | 2 W | WM | 18 | SW NE | 33.10 |
| 36 S | 2 W | WM | 18 | SE NE | 16.00 |
| 36 S | 2 W | WM | 18 | NE NW | 2.30 |
| 36 S | 2 W | WM | 18 | SW NW | 11.08 |
| 36 S | 2 W | WM | 18 | SE NW | 17.10 |
| 36 S | 2 W | WM | 18 | NW SW | 0.40 |
| 36 S | 2 W | WM | 18 | NW SE | 1.00 |
| 36 S | 3 W | WM | 13 | NE NE | 7.10 |

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 60 days of the date of service.

| IRRIGATION | | | | | |
|------------|-----|----|----|-------|-------|
| 36 S | 3 W | WM | 13 | NW NE | 0.20 |
| 36 S | 3 W | WM | 13 | SW NE | 0.40 |
| 36 S | 3 W | WM | 13 | SE NE | 23.00 |
| 36 S | 3 W | WM | 13 | NE SE | 0.50 |

This certificate corrects point of diversion listed in Certificate 86485. This Certificate describes that portion of the water right confirmed by Certificate 86485 modified by Transfer Application T-11072 approved by an order issued August 10, 2010. This Certificate supersedes Certificate 86485 and describes the portion of water right Certificate 81513 NOT modified by the provisions of an order of the Water Resources Director entered August 10, 2010, and recorded at Volume 81, Pages 641-645, approving Transfer Application T-11072.

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 APR 05 2011.



 Dwight French, Water Right Services Administrator for
 PHILLIP C. WARD, DIRECTOR