

STATE OF OREGON
 COUNTY OF JACKSON
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CATHERINE A RODGERS
 STEVEN E EMICK
 495 LA CANADA COURT
 MORGAN HILL CA 95037

confirms the right to use the waters of APPLGATE RIVER, tributary to ROGUE RIVER for IRRIGATION of 4.2 ACRES.

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 Volume 4, at Page 1. The date of priority is 1876.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.11 CUBIC FOOT 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
39 S	3 W	WM	33	NE NW	1312 FEET SOUTH FROM N ¼ CORNER, SECTION 33

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	3 W	WM	33	NE NW	0.7
39 S	3 W	WM	33	SE NW	3.5

The quantity of water diverted at the new point(s) of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available from the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	3 W	WM	5	SW SW	COMSTOCK DITCH - 1000 FEET NORTH AND 1190 FEET EAST FROM SW CORNER, SECTION 5

Water use measurement conditions:

- a. The water user shall maintain a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at the point of diversion.
- b. The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with Oregon Department of Fish and Wildlife's operational and maintenance standards.

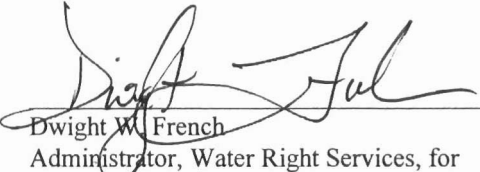
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This certificate is issued to confirm a CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered SEPTEMBER 23, 2009, at Special Order Volume 78, Page 948, approving Transfer Application 6902, and together with Certificate 85696, supercedes Certificate 79834, State Record of Water Right Certificates.

The right to the use of the water for the above purpose is restricted to beneficial use on place of use described, and is subject to all other conditions and limitations contained in said decree.

Issued **AUG 19 2013**



Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director