

STATE OF OREGON  
COUNTY OF DOUGLAS  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRIAN A AND CHARLEEN M HENRY  
PO BOX 2175  
MYRTLE CREEK OR 97457

DICK AND SANDY GRAF  
10062 S MYRTLE RD  
MYRTLE CREEK OR 97457

confirms the right to use the waters of SOUTH MYRTLE CREEK, tributary to MYRTLE CREEK for IRRIGATION of 40.0 ACRES.

This right was perfected under Permit S-8310. The date of priority is APRIL 5, 1927. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.5 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion (POD) are located as follows:

| Twp  | Rng | Mer | Sec | Q-Q   | GLot | Measured Distances  |
|------|-----|-----|-----|-------|------|---|
| 29 S | 4 W | WM  | 24  | SE SE | 3    | POD 1 (HENRY) - 300 FEET SOUTH AND 1250 FEET EAST FROM SW CORNER, DANIEL T CRAIG DLC 37 |
| 29 S | 4 W | WM  | 24  | SW SE |      | POD 2 (GRAF) - 220 FEET SOUTH AND 90 FEET EAST FROM SW CORNER, DANIEL T CRAIG DLC 37    |

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.

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 is as follows:

| Twp  | Rng | Mer | Sec | Q-Q   | GLot | DLC | Acres |               |
|------|-----|-----|-----|-------|------|-----|-------|---------------|
| 29 S | 3 W | WM  | 19  | NW SW |      | 37  | 10.9  | POD 1 (HENRY) |
| 29 S | 3 W | WM  | 19  | SW SW |      | 37  | 0.2   | POD 1 (HENRY) |
| 29 S | 3 W | WM  | 19  | SW SW | 8    |     | 1.4   | POD 1 (HENRY) |
| 29 S | 4 W | WM  | 24  | NE SE |      | 37  | 11.7  | POD 2 (GRAF)  |
| 29 S | 4 W | WM  | 24  | NW SE |      | 37  | 1.6   | POD 2 (GRAF)  |
| 29 S | 4 W | WM  | 24  | SW SE |      |     | 0.1   | POD 2 (GRAF)  |
| 29 S | 4 W | WM  | 24  | SW SE |      | 37  | 0.7   | POD 2 (GRAF)  |

**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.

| Twp  | Rng | Mer | Sec | Q-Q   | GLot | DLC | Acres |              |
|------|-----|-----|-----|-------|------|-----|-------|--------------|
| 29 S | 4 W | WM  | 24  | SE SE | 3    |     | 3.2   | POD 2 (GRAF) |
| 29 S | 4 W | WM  | 24  | SE SE |      | 37  | 10.2  | POD 2 (GRAF) |

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   | GLot | Measured Distances   |
|------|-----|-----|-----|-------|------|--|
| 29 S | 3 W | WM  | 20  | SE NW |      | NORTH 15 DEGREES WEST, 760 FEET FROM SE CORNER, SENE, SECTION 20 |

Water shall be acquired from the same surface source as the original point of diversion.

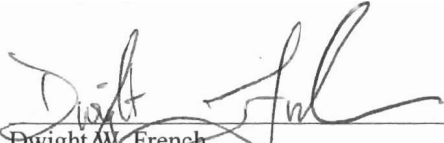
The water user shall maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted.

The water user shall maintain fish screens or fish by-pass devices.

This certificate is issued to confirm a CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered DECEMBER 16, 1999, at Special Order Volume 53, Page 1486, approving Transfer Application 7691, and together with Certificate 76359 supersedes Certificate 8914, State record of Water Right Certificates.

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.

Issued OCT 11 2013

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