

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ART AND LINDA LUND
 PO BOX 2174
 MYRTLE CREEK OR 97457

confirms the right to use the waters of NORTH MYRTLE CREEK, tributary to MYRTLE CREEK for IRRIGATION of 11.2 ACRES.

This right was perfected under Permit 34988. The date of priority is MARCH 9, 1970. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.135 CUBIC FOOT PER SECOND (CFS) BEING; 0.062 CFS FROM POD #1 AND 0.073 CFS FROM POD #2, 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 |
|------|-----|-----|-----|-------|--|
| 28 S | 4 W | WM | 13 | NE SW | POD #1 - 1630 FEET NORTH & 1705 FEET EAST FROM SW CORNER, SECTION 13 |
| 28 S | 4 W | WM | 13 | SE SW | POD #2 - 620 FEET NORTH & 2100 FEET EAST FROM SW CORNER, SECTION 13 |

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 2.5 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 is as follows:

| POD # | Twp | Rng | Mer | Sec | Q-Q | Acres |
|-------|------|-----|-----|-----|-------|-------|
| 1 | 28 S | 4 W | WM | 13 | NE SW | 5.4 |
| 2 | 28 S | 4 W | WM | 13 | SE SW | 5.8 |

The quantity of water diverted at the new points 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 located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|-----|-----|-----|-------|---|
| 28 S | 4 W | WM | 13 | NE SW | 2200 FEET NORTH & 1650 FEET EAST FROM SW CORNER, SECTION 13 |

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.

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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

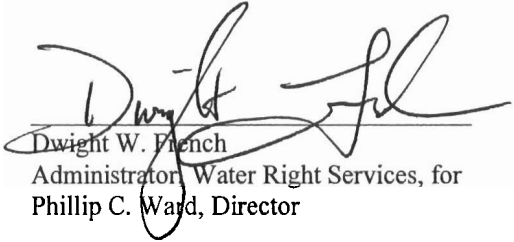
The water user shall maintain a fish screen or fish by-pass device.

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.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 3, 2001, at Special Order Volume 55, Page 691, approving Transfer Application 8684, and together with T-8645, supercedes Certificate 45484, State record of Water Right Certificates.

DEC 31 2013

Issued _____



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