

STATE OF OREGON
 COUNTY OF JACKSON
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARCOS AND HEIDI MARTINS FAMILY TRUST
 MARCOS MARTINS – TRUSTEE
 HEIDI MARTINS – TRUSTEE
 14430 HWY 238
 APPELEGATE OR 97530

HERRIOTT BROTHERS RANCH
 MARY SAMPSEN
 14430 HWY 238
 APPELEGATE OR 97530

confirms the right to the use of water perfected under the terms of Permit S-23338. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: APPELEGATE RIVER, A TRIBUTARY OF ROGUE RIVER

PURPOSE OR USE: PRIMARY IRRIGATION OF 21.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 3.6 ACRES

MAXIMUM RATE: 0.31 CUBIC FOOT PER SECOND

PERIOD OF USE: APRIL 2 TO OCTOBER 31 OF EACH YEAR

DATE OF PRIORITY: DECEMBER 14, 1954

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
38 S	4 W	WM	22	SW NE	38	1550 FEET SOUTH AND 1950 FEET WEST FROM NE CORNER, SECTION 22

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, 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.

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:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
38 S	4 W	WM	15	SW SE		9.8
38 S	4 W	WM	22	NW NE	2	11.5

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.

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
38 S	4 W	WM	22	NE NE	1	3.6

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.48 cubic foot per second, described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
38 S	4 W	WM	30	SE SW	39	KUBLI DITCH - 2510 FEET SOUTH AND 3370 FEET WEST FROM NE CORNER, DLC 39

The rights to the use of water from tributary streams entering Applegate River between the existing and proposed points of diversion shall not be subject to the water right which is subject of this right.

When in the judgement of the Watermaster it becomes necessary to install headgates and measuring devices:

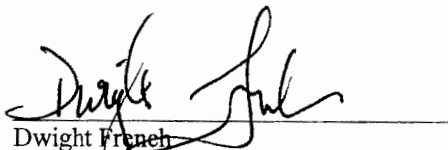
That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the water user is entitled;

That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir of measuring device be installed under the general supervision of said Watermaster.

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 and is subject to the existing minimum flow policies established by the Water Review Board.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered October 14, 1986 at Special Order Volume 40, Page 427, approving Transfer Application 5793, supercedes Certificate 46561, State record of Water Right Certificates.

Issued SEP 23 2016.



Dwight French
 Water Right Services Division Administrator, for
 Thomas M. Byler, Director
 Oregon Water Resources Department