

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JONATHAN J. CHESAK-KOSTELNIK  
JOAN K. KOSTELNIK  
8660 GALICE ROAD  
MERLIN, OREGON 97532

confirms the right to use the waters of COOKSIE CREEK, a tributary of ROGUE RIVER, for HUMAN CONSUMPTION ONLY FOR ONE HOUSEHOLD.

This right was perfected under Permit 53042. The date of priority is AUGUST 30, 1993. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.005 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SE 1/4, SECTION 6, TOWNSHIP 35 SOUTH, RANGE 7 WEST, W.M.;  
50 FEET SOUTH AND 170 FEET WEST FROM THE NE CORNER OF THE SW 1/4  
SE 1/4, SECTION 6.

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:

LOT 10 (NE 1/4 SE 1/4)  
SECTION 6  
TOWNSHIP 35 SOUTH, RANGE 7 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.

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 the 60 days of the date of service.

- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The Director finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

Issued October 15, 2003.



Paul R. Cleary, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80427.

S-73606.SB