

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRYAN COGGINS
13301 HWY 238
JACKSONVILLE, OREGON 97530

confirms the right to use the waters of APPLGATE LAKE RESERVOIR CONSTRUCTED UNDER PERMIT R-7810, a tributary of ROGUE RIVER, for IRRIGATION OF 1.7 ACRES AND SUPPLEMENTAL IRRIGATION OF 1.4 ACRES.

This right was perfected under Permit 53865. The date of priority is APRIL 15, 2002. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 6.0 ACRE-FEET STORED WATER ONLY, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

APPLGATE LAKE RESERVOIR - S 1/2 SE 1/4, SECTION 25, TOWNSHIP 40 SOUTH, RANGE 4 WEST, W.M.;

APPLGATE RIVER RE-DIVERSION - SW 1/4 NE 1/4, SECTION 26, TOWNSHIP 38 SOUTH, RANGE 4 WEST, W.M.; 1480 FEET SOUTH AND 340 FEET EAST FROM THE NORTH 1/4 CORNER OF SECTION 26.

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 not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from stored water only. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

A description of the place of use to which this right is appurtenant is as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 NE 1/4	0.9 ACRE	1.4 ACRES
SW 1/4 NE 1/4	0.8 ACRE	

SECTION 26
TOWNSHIP 38 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The use of water under this right is subject to the terms and conditions of Contract No. 039E101372 between the Bureau of Reclamation and the water user, or a satisfactory replacement, a copy of which is on file in the records of the Water Resources Director.

The water user shall maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the river without providing a fishway to ensure adequate upstream and downstream passage for fish.

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.

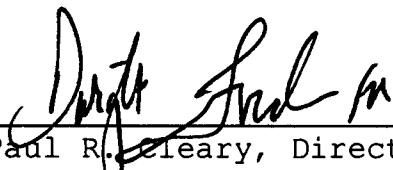
The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

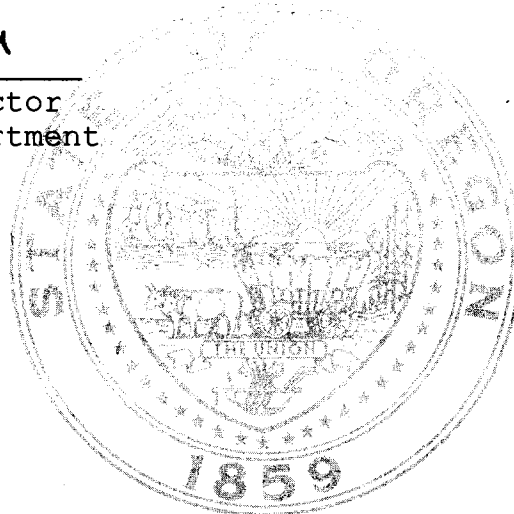
The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

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

Issued January 15, 2004.



Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80552.

85122.SB