

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STANLEY E. TENOLD  
P.O. BOX 751  
BODEGA BAY, CALIFORNIA 94923

confirms the right to use the waters of NORTH MYRTLE CREEK, a tributary of MYRTLE CREEK, for IRRIGATION OF 11.3 ACRES.

This right was perfected under Permit 24813. The date of priority is APRIL 8, 1957. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.14 CUBIC FOOT PER SECOND [IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION LOCATED WITHIN LOT 6 (SE 1/4 SE 1/4); SOUTH 17 DEGREES 46 MINUTES WEST 2261.7 FEET FROM THE EAST 1/4 CORNER OF SECTION 13], or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 5 (SW 1/4 SE 1/4), SECTION 13, TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.; 2160 FEET SOUTH AND 1715 FEET WEST FROM THE E 1/4 CORNER OF 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 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 2 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or 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.

T-8055.SB

Certificate Number 81410

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:

NE 1/4 SE 1/4            11.0 ACRES  
AS PROJECTED WITHIN DLC 49  
LOT 6 (SE 1/4 SE 1/4)      0.3 ACRE  
SECTION 13  
TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.

When required by the Department, the water user shall install and 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.

The water user shall install and maintain a fish screen and by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife and shall be installed under the supervision of the Oregon Department of Fish and Wildlife.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered May 21, 2001, and supersedes Certificate 27640, 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. 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.

Issued May 12, 2005.

  
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Phillip C. Ward, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81410.

T-8055.SB