

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.

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

USDI - BLM
3040 BIDDLE ROAD
MEDFORD, OR 97504

confirms the right to use the waters of THE APPELEGATE RIVER, a tributary of THE ROGUE RIVER, for IRRIGATION OF 36.9 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 16, at Page 523. The date of priority is OCTOBER, 1898.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.74 CUBIC FOOT PER SECOND (if available at the original point of diversion, BRIDGEPOINT DITCH - SW 1/4 SE 1/4, SECTION 17, T 38 S, R 4 W, W.M.), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LAUREL HILL DITCH: SW 1/4 NE 1/4, SECTION 1, T 38 S, R 5 W, W.M.; 125 FEET NORTH AND 500 FEET EAST FROM THE CENTER 1/4 CORNER, SECTION 1.

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

SE 1/4 NW 1/4 25.0 ACRES
NE 1/4 SW 1/4 11.9 ACRES

SECTION 1

TOWNSHIP 38 SOUTH, RANGE 5 WEST, W.M.

NOTE: To the extent of 9.6 acres in SE 1/4 NW 1/4 and 11.9 acres in NE 1/4 SW 1/4, said Section 1, the foregoing right is supplemental to the vested right allowed claimants' predecessor to the use of water from Williams Creek through York and Breedon Ditch, as set out in the Rogue River Decree on Page 26, Column 2, under Proof 813. The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.02 cubic foot per second per acre for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.02 cubic foot per second per acre for each acre irrigated during the irrigation season.

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.74 cubic foot per second.

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

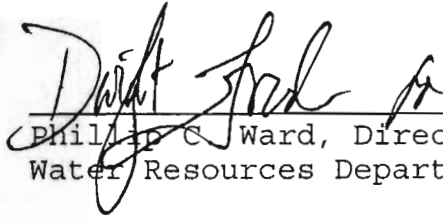
This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered SEPTEMBER 28, 1987, approving Transfer Application 5455, and supersedes Certificate 32822, State Record of Water Right Certificates.

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 and is subject to all other conditions and limitations contained in said decree.

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

WITNESS the signature of the Water Resources Director, affixed

OCT 06 2006



Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates numbered 82447

T-5455.JWG