

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of DITCH CREEK, tributary to PLEASANT CREEK, for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.

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 4 at Page 1. The date of priority is 1877. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed the quantities described below:

Season	Instream Water Right	
	Reach 1	Reach 2
April 1 through October 31	0.028 cfs	0.217 cfs

The description of the stream reaches in which flows are to be maintained are as follows:

Reach 1: From the location of the upstream diversion authorized previously under Certificate 44382, located at:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	4 W	WM	29	SE SW	125 FEET NORTH AND 140 FEET WEST FROM THE N1/4 CORNER OF SECTION 32

to the location of the new point of diversion authorized under Transfer T-9393, located at

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	4 W	WM	29	SW SE	35 FEET NORTH AND 155 FEET EAST FROM THE N1/4 CORNER OF SECTION 32

Reach 2: From the location of the new point of diversion authorized under Transfer T-9393, located at:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	4 W	WM	29	SW SE	35 FEET NORTH AND 155 FEET EAST FROM THE N1/4 CORNER OF SECTION 32

to where Ditch Creek intersects West Evans Creek Road at approximately:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	4 W	WM	33	NE SW	600 FEET SOUTH AND 10 FEET WEST FROM THE CENTER OF SECTION 33

The instream right established by this Allocation of Conserved Water shall be in addition to instream water rights established pursuant to ORS 537.3451, 537.346, 537.348 or 537.470, unless otherwise specified by a subsequent order establishing a new instream water right.

The right is subject to all other terms and conditions of Certificate 44382, and any related decree.

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.

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director recorded in Special Order Volume 74, Page 48, approving conserved water application CW-52, and together with the inchoate water right created by Transfer T-9393 supercedes Certificate 44382, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed JAN 28 2008



Phillip C. Ward, Director

PCW