

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAY AND/OR JANICE COOPER
5253 CARBERRY RD
JACKSONVILLE OR 97530

confirms the right to use the waters of CARBERRY CREEK and 4.0 ACRE FEET STORED WATER ONLY FROM APPELGATE LAKE RESERVOIR, CONSTRUCTED UNDER PERMIT R-7810, tributaries of APPELGATE RIVER, for IRRIGATION of 0.8 ACRE AND SUPPLEMENTAL IRRIGATION of 1.8 ACRES.

This right was perfected under Permit 46622. The date of priority is AUGUST 5, 1981. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.01 CUBIC FOOT PER SECOND FROM CARBERRY CREEK FOR IRRIGATION AND 4.0 ACRE FEET FROM APPELGATE LAKE RESERVOIR FOR SUPPLEMENTAL IRRIGATION or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
RESERVOIR	40 S	4 W	WM	25	S1/2 SE1/4	NONE GIVEN
CREEK	40 S	4 W	WM	27	SE NW	1050 FEET NORTH & 1120 FEET WEST FROM CENTER CORNER, SECTION 27

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 ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further 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, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and is subject to the terms and conditions of Contract 1-07-10-W0346 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, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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

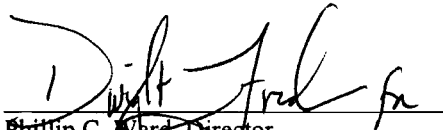
IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
40 S	4 W	WM	27	SE NW			0.8

SUPPLEMENTAL IRRIGATION FROM APPELGATE LAKE RESERVOIR							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
40 S	4 W	WM	27	SE NW			1.8

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 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.

Issued DEC 19 2008


Phillip C. Ward, Director
Water Resources Department