

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALVIN EATINGER
1361 EVAN LN
ASHLAND, OR 97520

confirms the right to use the waters of ROGUE RIVER FOR A PRIMARY SUPPLY FOR 6 FAMILIES AND A SUPPLEMENTAL SUPPLY FOR 44 FAMILIES, AND LOST CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-8142, for SUPPLEMENTAL IRRIGATION OF 8.0 ACRES.

This right was perfected under Permit 50157. The date of priority is JUNE 8, 1987. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.12 CUBIC FOOT PER SECOND (CFS), BEING 0.09 CFS FROM THE ROGUE RIVER AND LOST CREEK RESERVOIR FOR SUPPLEMENTAL IRRIGATION AND 0.03 CFS FROM THE ROGUE RIVER FOR A PRIMARY SUPPLY FOR 6 FAMILIES AND A SUPPLEMENTAL SUPPLY FOR 44 FAMILIES 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
ROGUE RIVER	34 S	1 W	WM	10	NE NW	1200 FEET SOUTH & 2510 FEET EAST FROM NW CORNER, SECTION 10
LOST CREEK RESERVOIR	33 S	1 E	WM	26	SW NW & W½ SW	NONE GIVEN

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 from direct flow and storage from Lost Creek Reservoir constructed under Permit R-8142, 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 herein, and is subject to the terms and conditions of Contract 8-07-10-W0700 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.

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:

DOMESTIC						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
34 S	1 W	WM	3	SW SW		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
34 S	1 W	WM	3	SW SW			8.0


This right is for the beneficial use of water.

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 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 JUN 19 2009.


Phillip C. Ward, Director
Water Resources Department