

STATE OF OREGON  
 COUNTY OF JACKSON  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FREDERIC J HIEFNAGEL  
 BARBARA J URE  
 5292 LOST CREEK ROAD  
 EAGLE POINT OREGON 97524

confirms the right to use the waters of LOST CREEK AND LOST LAKE RESERVOIR, CONSTRUCTED UNDER PERMIT R-427, tributaries to SOUTH FORK LITTLE BUTTE CREEK for IRRIGATION of 10.5 ACRES.

This right was perfected under Permit 3733. The date of priority is FEBRUARY 16, 1918. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.13 CUBIC FOOT PER SECOND (CFS); BEING 0.12 CFS FROM POD 1 AND 0.01 CFS FROM POD 2, if available at the original point of diversion: Tyrrell East Side Ditch located in SW¼ NW ¼, Section 22, T 37 S, R 2 E, WM; North 35 Degrees East, 660 feet from the W¼ Corner, Section 22, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Pod	Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
2	37 S	2 E	WM	16	NE NE			320 FEET SOUTH AND 580 FEET WEST FROM THE NE CORNER, SECTION 16
1	37 S	2 E	WM	16	SE SE			350 FEET NORTH AND 500 FEET WEST FROM THE E¼ CORNER, SECTION 16
Dam	37 S	2 E	WM	35				

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 during the irrigation season of each year.

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:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
37 S	2 E	WM	16	NE NE			0.5
37 S	2 E	WM	16	SE NE			10.0

**NOTICE OF RIGHT TO 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 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.

The quantity of water diverted at the new points of diversion shall not exceed the quantity of water available at the original point of diversion.


When required by the Department, the water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in POINTS OF DIVERSION approved by an order of the Water Resources Director entered March 25, 1991, at Special Order Volume 45, Page 158, approving Transfer Application 6466, and together with Certificate 65561, supersedes Certificate 5782, 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 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 JUL 17 2009

  
Phillip C. Ward, Director