

STATE OF OREGON

COUNTY OF LINCOLN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ETHEL E BOLAY
 STAR RT BOX 1290
 ALSEA OR 97324

confirms the right to use the waters of FALL CREEK, tributary to ALSEA RIVER for IRRIGATION of 8.5 ACRES.

This right was perfected under Permit 14905. The date of priority is MAY 8, 1941. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.11 CUBIC FOOT PER SECOND, if available at the original point of diversion, NW¼ SW¼, SECTION 1, T 14 S, R 9 W, W.M.; 950 FEET SOUTH AND 1050 FEET EAST FROM W¼ CORNER, SECTION 1, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
14 S	9 W	WM	1	SW NW			660 FEET NORTH & 700 FEET EAST FROM W¼ CORNER, SECTION 1

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 2.5 acre-feet per acre 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:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
14 S	9 W	WM	1	SW NW			8.5

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.11 cubic foot per second.

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 types and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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 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 a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered December 14, 1983, at Special Order Volume 38, Page 40, approving Transfer Application 5385, and together with Certificate 52565, supercedes Certificate 16861, State record of Water Right Certificates.

THIS CERTIFICATE IS ISSUED TO CORRECTLY IDENTIFY THE PERMIT THIS RIGHT WAS PERFECTED UNDER AND SUPERSEDES CERTIFICATE 85814.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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.

Issued OCT 09 2009


Phillip C. Ward, Director