

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN D FOSTER
189 MYER CREEK RD
ASHLAND OR 97520

confirms the right to use the waters of MYERS CREEK, tributary to BEAR CREEK for IRRIGATION of 5.0 ACRES.

This right was perfected under Permit 3466. The date of priority is MAY 3, 1917. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.04 CUBIC FOOT PER SECOND, if available at the original point of diversion, 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
38 S	1 E	WM	29	SE NW		44	1900 FEET SOUTH & 950 FEET WEST FROM N¼, SECTION 29

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
38 S	1 E	WM	29	SE NW			5.0

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, being located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
38 S	1 E	WM	29	NE NE			300 FEET SOUTH & 1080 FEET WEST FROM NE CORNER, SECTION 29

When required by the Department the water user shall install an in-line flow meter, a weir, or other suitable device for measuring the water the user is entitled. The type and plans of the measuring device 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 POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 7, 1986, at Special Order Volume 40, Page 131, approving Transfer Application 5754, and together with Certificate 56481, supersedes Certificate 3850, State record of Water Right Certificates.

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.

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 MAY 14 2010

A handwritten signature in black ink, appearing to read "Dwight French", written over a horizontal line.

Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Water Resources Department