

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT C AND MARY RUTH NICCOLLS
PO BOX 1269
JACKSONVILLE OR 97530

confirms the right to use the waters of APPLGATE RIVER, tributary to ROGUE RIVER for IRRIGATION of 42.7 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 4, at Page 1. The date of priority is 1863. The mount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.75 CUBIC FEET PER SECOND, if available at the authorized 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
39 S	3 W	WM	4	NE NE			221 FEET SOUTH & 1248 FEET WEST FROM NE CORNER, SECTION 4

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	3 W	WM	33	NE SW			1.0
38 S	3 W	WM	33	SE SW			10.0
38 S	3 W	WM	33	SW SE			15.0
39 S	3 W	WM	4	NW NE			13.7
39 S	3 W	WM	4	NE NW			3.0

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
39 S	3 W	WM	10	NE SW			STURGIS OR HAMILTON DITCH

The water user shall maintain and operate a headgate, an in-line flow meter, weir, or other suitable device fir measuring and recording the quantity of water diverted.

Water shall be acquired from the same surface water source as the original point of diversion.


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 July 2, 1997, at Special Order Volume 51, Page 622, approving Transfer Application 7714, and together with Certificate 74640, supersedes Certificate 16254 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 and is subject to all other conditions and limitations contained in said decree.

Issued APR 01 2011



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