

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ANTHONY MIKSCHÉ
PO BOX 1541
JACKSONVILLE, OR 97530

confirms the right to use the waters of the LITTLE APPLGATE RIVER, a tributary of the APPLGATE RIVER, for IRRIGATION OF 3.0 ACRES AND STOCK USE.

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 1885.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.076 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: BUCK AND JONES DITCH LOCATED IN THE NW¼ SE¼, SECTION 13, T 39 S, R 3 W, W.M.; ORIGINAL COORDINATES: 1660 FEET NORTH AND 550 FEET EAST FROM S¼ CORNER OF SECTION 13; ALSO LOCATED AS GPS COORDINATES: LATITUDE 42.17508, LONGITUDE -123.0018) or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

SE¼ SW¼, Section 3, T. 39 S., R. 3 W., W.M.; 230 feet North and 480 feet West from the S¼ Corner of Section 3

NW¼ SE¼, Section 13, T. 39 S., R. 3 W., W.M.; Buck and Jones Ditch – Original coordinates: 1660 feet North and 550 feet East from the S¼ Corner of Section 13; also located as GPS coordinates: Latitude 42.17508, Longitude -123.0018

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

A description of the place of use is as follows:

NW¼ SE¼ 3.0 ACRES
SECTION 11
TOWNSHIP 39 SOUTH, RANGE 3 WEST, W.M.

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type 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.

The water user shall maintain a fish screen or by-pass device.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered September 8, 2004, and supersedes a portion of Certificate 16389, 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 shall be subject to all other conditions and limitations contained in said decree.

Issued AUG 10 2012



Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director
Water Resources Department