

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DARREL L WILTROUT
PO BOX 72
BUTTE FALLS OR 97522

confirms the right to use the waters of TOLMAN CREEK, tributary to NEIL CREEK for IRRIGATION of 1.77 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 1853. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.022 CUBIC FOOT PER SECOND, 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	DLC	Measured Distances
39 S	1 E	WM	13	SW SW	54	1085 FEET SOUTH & 730 FEET EAST FROM NW CORNER DLC 54

A description of the place use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
39 S	1 E	WM	13	NW SW	54	0.07
39 S	1 E	WM	13	SW SW	54	1.70

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 at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	1 E	WM	14	SE SE	140 FEET NORTH & 430 FEET WEST FROM SE CORNER, SECTION 14

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

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


This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered June 20, 1997, at Special Order Volume 51, Page 562, approving Transfer Application 7733, and together with Certificate 74528, supersedes Certificate 43588, 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 183.482. 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.

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 DEC 14 2012.



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