

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARK AND LISHA PHILLIPS  
PO BOX 1239  
MYRTLE CREEK OR 97457

confirms the right to use the waters of NORTH MYRTLE CREEK, tributary to MYRTLE CREEK for IRRIGATION of 3.16 ACRES.

This right was perfected under Permit S-5877. The date of priority is MAY 12, 1923. 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, 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	Measured Distances
29 S	4 W	WM	8	NE NW	1406 FEET NORTH AND 221 FEET WEST FROM C <sup>1</sup> / <sub>4</sub> CORNER, SECTION 8

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.

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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	4 W	WM	8	NE NW	0.30
29 S	4 W	WM	8	SE NW	2.86

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

Twp	Rng	Mer	Sec	Q-Q
29 S	4 W	WM	8	NE NW

The water user shall maintain a fish screen or fish by-pass device, as appropriate, at the point of diversion.

The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.


**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.

This certificate is issued to confirm a CHANGE IN POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered FEBRUARY 19, 2010, at Special Order Volume 80, Page 307, approving Transfer Application 8453, and together with Certificate 85967, supercedes a portion of Certificate 83457, 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.

Issued JUN 27 2013



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