

STATE OF OREGON
COUNTY OF TILLAMOOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH MAACK
PO BOX 441
TILLAMOOK OR 97141

confirms the right to use the waters of SIMMONS CREEK, tributary to TILLAMOOK RIVER for IRRIGATION of 20.4 ACRES.

This right was perfected under Permit S-19519. The date of priority is MAY 24, 1950. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.26 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
2 S	9 W	WM	17	NW NW	455 FEET SOUTH AND 615 FEET WEST FROM NW CORNER, SECTION 17
2 S	9 W	WM	17	NW NW	NONE GIVEN (PORTABLE PUMP WITHIN NWNW)

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, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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	GLot	DLC	Acres
2 S	9 W	WM	7	SE SE	2		9.51
2 S	9 W	WM	7	SE SE		37	0.14
2 S	9 W	WM	8	SW SW	5		3.66
2 S	9 W	WM	17	NW NW			5.45
2 S	9 W	WM	18	NE NE			1.64

The quantity of water diverted at the new points of diversion shall not exceed the quantity of water available from the original point of diversion on Simmons Creek described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	9 W	WM	21	SW SW	NONE GIVEN

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.

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

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.

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 JULY 25, 2005, at Special Order Volume 65, Page 437, approving Transfer Application 8806, and supercedes Certificate 21929, 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 NOV 01 2013



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