

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MORRIS HARDY PENZER
 DANIELLE J. CHAMLET
 10825 WEST EVENS CREEK ROAD
 ROGUE RIVER OR 97537

confirms the right to use the waters of DITCH CREEK, tributary to PLEASANT CREEK, for IRRIGATION of 28.12 ACRES.

This right was perfected under Permit S-18651. The date of priority is MARCH 16, 1949. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.35 CUBIC FOOT PER SECOND (CFS), 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
34 S	4 W	WM	29	SW SE	POD 2 - 35 FEET NORTH AND 155 FEET EAST FROM N1/4 CORNER, SECTION 32

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 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 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	Acres
34 S	4 W	WM	29	SE SE	0.5
34 S	4 W	WM	32	NE NE	14.62
34 S	4 W	WM	33	NW NW	11.48
34 S	4 W	WM	33	SE NW	1.52

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	4 W	WM	29	SE SW	POD 1 - 125 FEET NORTH AND 140 FEET WEST FROM N1/4 CORNER, SECTION 32

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.

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 all permanent diversion structures and pump sites.

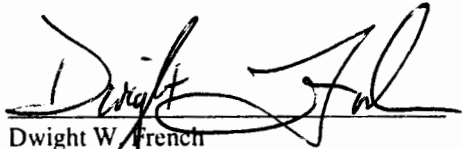
The water user shall provide fish passage, according to the Oregon Department of Fish and Wildlife specifications, at existing downstream diversion dam (POD 3).

The water user shall leave a bypass flow of at least 0.217 CFS in Ditch Creek at POD 2; except at times when the flow at POD 2 is less than 1.063 CFS, the water user shall leave a bypass flow equal to 20 percent of the flow in the stream. The bypass flow shall be maintained in Ditch Creek from POD 2 downstream to where Ditch Creek intersects West Evans Creek Road.

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 the existing minimum flow policies established by the Water Policy Review Board.

This certificate is issued to confirm changes in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered JANUARY 28, 2007, at Special Order Volume 74, Page 78, approving Transfer Application 9393, supercedes Certificate 44381, State record of Water Right Certificates.

Issued JUN 06 2014



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