

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 store the waters of DITCH CREEK, tributary to PLEASANT CREEK, in DITCH CREEK RESERVOIR, for MULTIPURPOSE USE.

This right was perfected under Permit R-5541. The date of priority is OCTOBER 10, 1969. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 7.5 ACRE FEET, 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	33	SW NW	POD 3 - 2040 FEET SOUTH AND 230 FEET EAST FROM NW CORNER, SECTION 33

The reservoir is located as follows:

Twp	Rng	Mer	Sec	Q-Q
34 S	4 W	WM	33	SW NW

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, 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. POD 2 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

**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 appropriation of water for storage under this right may only occur when flow for instream water right Certificate 72675 or the bypass flow (described immediately above) is met, whichever is greater.

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.

This certificate is issued to confirm a change in CHARACTER 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 44444, 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