

STATE OF OREGON  
 COUNTY OF JOSEPHINE  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DEBBIE L. THOMASON  
 PO BOX 99  
 MERLIN OR 97532

confirms the right to the use of water perfected under the terms of Permit S-39338. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: UNNAMED STREAM (ALSO KNOWN AS BLACK BEAR CREEK), A TRIBUTARY OF ROGUE RIVER

PURPOSE OR USE: COMMERCIAL USES

MAXIMUM RATE: 0.019 CUBIC FOOT PER SECOND (CFS), BEING 0.014 CFS, FURTHER LIMITED TO A DUTY OF 5.0 ACRE FEET FROM APRIL 1 THROUGH OCTOBER 31, AND 0.005 CFS YEAR ROUND, FURTHER LIMITED TO A DUTY OF 0.9 ACRE FOOT

DATE OF PRIORITY: AUGUST 6, 1974

The point of diversion is located as follows:

| Twp  | Rng | Mer | Sec | Q-Q   | Measured Distances  |
|------|-----|-----|-----|-------|---|
| 34 S | 8 W | WM  | 35  | NE NW | POD 1 - 1200 FEET SOUTH AND 3440 FEET WEST FROM NE CORNER, SECTION 35 |

A description of the place of use to which such right is appurtenant is as follows:

| Twp  | Rng | Mer | Sec | Q-Q   | GLot |
|------|-----|-----|-----|-------|------|
| 34 S | 8 W | WM  | 36  | SE SW | 10   |
| 34 S | 8 W | WM  | 36  | NE SW | 8    |

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, in good working order at each point of diversion.
- B. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

**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.

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.

The water user shall maintain and operate fish screening consistent with current Oregon Department of Fish and Wildlife (ODFW) standards.

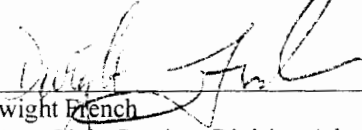
The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

| Twp  | Rng | Mer | Sec | Q-Q   | G Lot | Measured Distances   |
|------|-----|-----|-----|-------|-------|--|
| 34 S | 8 W | WM  | 35  | SE NW | 9     | 1230 FEET NORTH AND 350 FEET WEST FROM C1/4 CORNER, SECTION 35 |

The right to the use of the water for the above purpose is restricted to beneficial use on the 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, PLACE OF USE, AND CHARACTER OF USE approved by an order of the Water Resources Director entered APRIL 8, 2010, at Special Order Volume 80, Page 570, approving Transfer Application 9468, and together with Certificate 86013, supersedes Certificate 49924, State record of Water Right Certificates.

Issued           **AUG 22 2017**          

  
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Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department