

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W. H. LEEDS  
ELLEN H. WAGNER  
ASHLAND, OR 97520

confirms the right to use the waters of EMIGRANT CREEK, a tributary to BEAR CREEK, for the purposes of IRRIGATION OF 35.45 ACRES and SUPPLEMENTAL IRRIGATION OF 4.55 ACRES; DOMESTIC; STOCK; and DEVELOPMENT of 2 HORSEPOWER.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 4, at Page 1. The date of priority is DECEMBER 31, 1864.

The amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.55 cfs, being 0.486 cubic foot per second for irrigation of 35.45 acres and .064 cubic foot per second for supplemental irrigation of 4.55 acres, domestic and stock; and 0.25 cubic foot per second for power.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	2 E	WM	2	NE SE	CALDWELL DITCH: 910 FEET SOUTH AND 460 FEET WEST FROM THE E1/4 CORNER, SECTION 2
40 S	2 E	WM	2	NE NW	WHITE DITCH: 1005 FEET SOUTH AND 450 FEET WEST FROM THE N1/4 CORNER, SECTION 2

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

**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.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Authorized POD
39 S	2 E	WM	34	SE SE	10.00	CALDWELL DITCH
39 S	2 E	WM	35	SW SW	5.90	CALDWELL DITCH
39 S	2 E	WM	35	SWSW	1.10	WHITE DITCH
39 S	2 E	WM	35	SE SW	4.30	CALDWELL DITCH
40 S	2 E	WM	2	NE NW	0.60	CALDWELL DITCH
40 S	2 E	WM	2	NE NW	3.55	WHITE DITCH
40 S	2 E	WM	2	NW NW	10.00	CALDWELL DITCH
<b>Total</b>					<b>35.45</b>	

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Authorized POD
39 S	2 E	WM	35	SW SW	3.00	WHITE DITCH
39 S	2 E	WM	35	SE SW	0.70	WHITE DITCH
40 S	2 E	WM	2	NE NW	0.85	WHITE DITCH
<b>Total</b>					<b>4.55</b>	

DOMESTIC, STOCK, POWER				
Twp	Rng	Mer	Sec	Q-Q
39 S	2 E	WM	34	SE SE
39 S	2 E	WM	35	SW SW
39 S	2 E	WM	35	SE SW
40 S	2 E	WM	2	NE NW
40 S	2 E	WM	2	NW NW

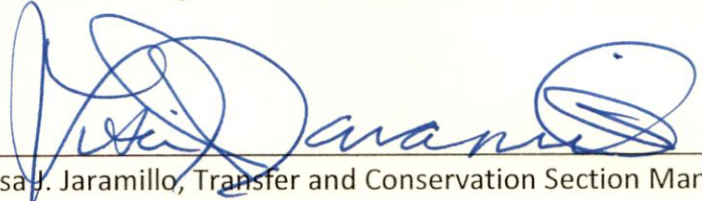
The quantity of water diverted at the new point of diversion (White Ditch) shall not exceed the quantity of water that is available at the old point of diversion (Caldwell Ditch).

This certificate is issued to describe the points of diversion as modified by provisions of an order of the Water Resources Director, entered March 5, 1959, and recorded in Special Order Volume 10, Pages 14-16; and to describe the right modified by provisions of an order of the Water Resources Director, entered APR 30 2020 and recorded in Special Order Volume 116, Pages 584, approving a partial diminution of the right evidenced by Certificate 15939. This certificate supersedes Certificate 15939.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed APR 30 2020.



Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
THOMAS M. BYLER, DIRECTOR  
Oregon Department of Water Resources

