

STATE OF OREGON
 COUNTY OF JACKSON
 CERTIFICATE OF WATER RIGHT
 FOR PARTIAL PERFECTION

THIS CERTIFICATE ISSUED TO

CITY OF ASHLAND
 20 EAST MAIN ST
 ASHLAND OR 97520

confirms the right to the use of water perfected under the terms of Permit S-54337. 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 of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-85733

SOURCE OF WATER: LOST CREEK RESERVOIR, A TRIBUTARY OF ROGUE RIVER, CONSTRUCTED UNDER PERMITS R-8141 AND R-8142

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM VOLUME: 550.6 ACRE FEET EACH YEAR

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 11, 2003

POINT OF DIVERSION AND RE-DIVERSION LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
33 S	1 E	WM	26	SW NW	LOST CREEK RESERVOIR OUTLET (POD) - 2055 FEET SOUTH AND 1190 FEET EAST FROM NW CORNER, SECTION 26
36 S	2 W	WM	13	SW NW	RE-DIVERSION (DUFF WTP INTAKE) – SOUTH 25 DEGREES, 25 MINUTES, AND 28 SECONDS EAST, 4385.6 FEET FROM NE CORNER, DLC 42

THE PLACE OF USE IS THE SERVICE AREA OF CITY OF ASHLAND.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the

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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.

- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish. The water user is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

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

Water use under this right is subject to the terms and conditions of the *WATER STORAGE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE CITY OF ASHLAND, OREGON FOR WATER STORAGE SPACE IN LOST CREEK LAKE PROJECT, OREGON* approved July 26, 2002 (or a satisfactory replacement), which is on file with Department.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

This certificate is issued for a partial perfection of Permit S-54337 as described in OAR 690-320-0040 and by an order of the Water Resources Director entered April 12, 2022 at Special Order Volume 122, Page 328.

Issued APR 12 2022



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