

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WAYNE L. SNYDER
7160 SOUTH MYRTLE ROAD
MYRTLE CREEK, OREGON 97457

confirms the right to use the waters of SOUTH MYRTLE CREEK, a tributary of the SOUTH UMPQUA RIVER, WITH ANY DEFICIENCY IN SUPPLY TO BE MADE UP BY AN UNNAMED STREAM AND RESERVOIRS A AND B, CONSTRUCTED UNDER PERMIT R-11230, for NURSERY OPERATIONS ON 7.5 ACRES.

This right was perfected under Permit 51016. The date of priority is APRIL 6, 1989. This right is limited to 0.19 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within DLC 38, SECTION 21, T 29 S, R 4 W, WM; SOUTH MYRTLE CREEK - 620 FEET SOUTH AND 520 FEET WEST; RESERVOIR A AND STREAM - 230 FEET SOUTH AND 520 FEET WEST; RESERVOIR B AND STREAM - 330 FEET SOUTH AND 320 FEET WEST, ALL FROM THE SW CORNER, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 21.

Use of natural flow water of South Myrtle Creek and the Unnamed Stream under this right is limited during the period July 15 through September 30 of each year to irrigation of up to one-half acres noncommercial garden. This limitation does not apply to the use of water legally stored in Reservoirs A and B.

The amount of water used for NURSERY OPERATION is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre-feet per acre per year. For irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet per acre per year. The use of water for water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season 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 to which this right is appurtenant is as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.6 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.9 ACRES
AS PROJECTED WITHIN DLC 38
SECTION 21
TOWNSHIP 29 SOUTH, AND RANGE 4 WEST, W.M.

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.

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

WITNESS the signature of the Water Resources Director,
affixed SEP 9 1994, 1994.

/s/ MARTHA O. PAGEL

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 68399.

BASIN 16
69092.LHN

VOLUME 4 SOUTH MYRTLE CREEK

DISTRICT 15