

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MERRILL H. OR CAROLYN H. YOUNG
2660 HIGHWAY 38
DRAIN, OREGON 97435

confirms the right to use the waters of ELK CREEK, a tributary of UMPQUA RIVER, for IRRIGATION OF 1.0 ACRE.

This right was perfected under Permit 51757. The date of priority is OCTOBER 5, 1990. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.012 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source. **The use of water for irrigation is limited to March 1 through June 30 of each year. The use of water is limited to the irrigation of a non-commercial garden not to exceed ½ acre in area during the period of July 1 through October 31 of each year.**

The point of diversion is located as follows:

NW 1/4 NW 1/4, SECTION 13, TOWNSHIP 22 SOUTH, RANGE 6 WEST, W.M.; 710 FEET SOUTH AND 1010 FEET EAST FROM THE NW CORNER OF SECTION 13.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated 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:

NW 1/4 NW 1/4 1.0 ACRE
SECTION 13
TOWNSHIP 22 SOUTH, RANGE 6 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.

- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

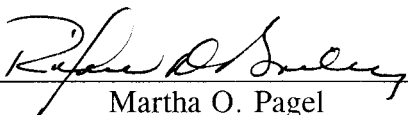
The water user shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife (ODFW) to prevent fish from entering the diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of water.

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

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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 MAY 14, 1999.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76172.