

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

D. J. SMITH  
389 ROSS INLET ROAD  
COOS BAY, OR 97420

confirms the right to use the waters of AN UNNAMED SPRING AND AN UNNAMED STREAM, tributaries CATCHING SLOUGH, for DOMESTIC USE EXPANDED FOR ONE FAMILY.

This right was perfected under Permit 51568. The date of priority is OCTOBER 19, 1992. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.01 CUBIC FOOT PER SECOND FROM THE SPRING WITH ANY DEFICIENCY IN THE SUPPLY TO BE APPROPRIATED FROM THE UNNAMED STREAM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SPRING - LOT 12 (NW 1/4 SW 1/4), SECTION 31, TOWNSHIP 25 SOUTH, RANGE 12 WEST, W.M.; 460 FEET SOUTH AND 200 FEET EAST FROM THE W 1/4 CORNER OF SECTION 31; AND

STREAM - LOT 12 (NW 1/4 SW 1/4), SECTION 31, TOWNSHIP 25 SOUTH, RANGE 12 WEST, W.M.; 380 FEET SOUTH AND 120 FEET EAST FROM THE W 1/4 CORNER OF SECTION 31.

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:

LOT 12 (NW 1/4 SW 1/4)  
SECTION 31  
TOWNSHIP 25 SOUTH, RANGE 12 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.

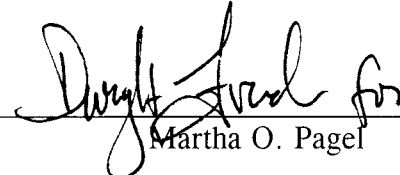
Failure to comply with any of the provision of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to use water for the above purpose is restricted to beneficial use, without waste, 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.

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 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 MARCH 24, 2000.

  
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Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76457.