

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARLEN E. AND CAROLYN FERCH
545 PACKSADDLE ROAD
MYRTLE CREEK, OR 97457

confirms the right to use the waters of A SPRING, a tributary of SOUTH MYRTLE CREEK, for DOMESTIC USE FOR TWO HOUSEHOLDS INCLUDING THE IRRIGATION OF LAWN AND NONCOMMERCIAL GARDEN NOT TO EXCEED ONE-HALF ACRE FOR EACH HOUSEHOLD.

This right was perfected under Permit 52699. The date of priority is FEBRUARY 15, 1991. 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 (CFS) FOR DOMESTIC USE, AND FURTHER LIMITED TO 0.005 CFS FOR HUMAN CONSUMPTION ONLY DURING THE PERIOD FROM JUNE 16 THROUGH NOVEMBER 30 OF EACH YEAR, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 8 (SW 1/4 SE 1/4), SECTION 17, TOWNSHIP 29 SOUTH, RANGE 4 WEST, W.M.; 600 FEET NORTH AND 1500 FEET WEST FROM THE SE CORNER OF SECTION 17.

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 1/4 NE 1/4 ONE DOMESTIC
AS PROJECTED WITHIN H. WEAVER DLC 39
LOT 1 (NE 1/4 NE 1/4) ONE DOMESTIC
SECTION 20
TOWNSHIP 29 SOUTH, RANGE 4 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 to prevent fish from entering the diversion. The required screen is to be in place, functional, and approved by Oregon Department of Fish and Wildlife.

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.

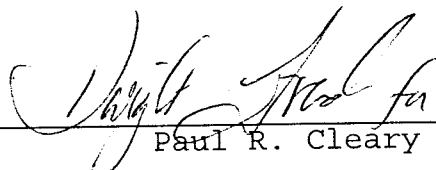
The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

The Director finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

WITNESS the signature of the Water Resources Director, affixed March 22, 2002.


Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79339.