

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT J. AND NORMA L. SCHARF
2277 COUGAR CREEK ROAD
OAKLAND, OREGON 97462

confirms the right to use the waters of AN UNNAMED SPRING, AN UNNAMED CREEK, AND UMPQUA RIVER, tributaries of PACIFIC OCEAN, for DOMESTIC USE FOR ONE FAMILY, LIVESTOCK USE AND IRRIGATION OF 21.4 ACRES.

This right was perfected under Permit 54017. The date of priority is NOVEMBER 18, 1991. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.278 CUBIC FEET PER SECOND (CFS), BEING 0.005 CFS FROM AN UNNAMED SPRING FOR DOMESTIC USE FOR ONE FAMILY, 0.005 CFS FROM AN UNNAMED CREEK FOR LIVESTOCK USE, 0.239 CFS FROM UMPQUA RIVER FOR IRRIGATION OF 19.1 ACRES, AND 0.029 CFS FROM AN UNNAMED CREEK, WITH DEFICIENCY IN SUPPLY TO BE MADE UP FROM THE UMPQUA RIVER, FOR IRRIGATION OF 2.3 ACRES, or its equivalent in case of rotation, measured at the point of diversion from the source. DOMESTIC USE AND LIVESTOCK USE ARE ALLOWED YEAR-ROUND, WITH IRRIGATION LIMITED TO THE PERIOD OF MARCH 1 THROUGH OCTOBER 31 OF EACH YEAR.

The points of diversion are located as follows:

UNNAMED SPRING - LOT 11 (SE 1/4 NW 1/4), SECTION 15, TOWNSHIP 24 SOUTH, RANGE 7 WEST, W.M.; 1620 FEET SOUTH AND 1440 FEET EAST FROM THE NW CORNER OF SECTION 15; AND

UNNAMED CREEK - LOT 11 (SE 1/4 NW 1/4), SECTION 15, TOWNSHIP 24 SOUTH, RANGE 7 WEST, W.M.; 1370 FEET SOUTH AND 1330 FEET EAST FROM THE NW CORNER OF SECTION 15; AND

UMPQUA RIVER - LOT 6 (NE 1/4 SW 1/4), SECTION 15, TOWNSHIP 24 SOUTH, RANGE 7 WEST, W.M.; 1820 FEET NORTH AND 2250 FEET EAST FROM THE SW CORNER OF SECTION 15.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet 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:

LOT 11 (SE 1/4 NW 1/4)	4.9 ACRES, DOMESTIC & LIVESTOCK
LOT 6 (NE 1/4 SW 1/4)	12.0 ACRES
LOT 7 (SE 1/4 SW 1/4)	4.5 ACRES

SECTION 15

TOWNSHIP 24 SOUTH, RANGE 7 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order.
- 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.
- C. 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 proposed diversion. The water user shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are 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.

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 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 79382.