

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PAUL E. THIES OR MARIAN F. THIES
7601 SCOTTS VALLEY RD.
YONCALLA, OR 97499

confirms the right to use the waters of A SPRING, a tributary of ELK CREEK,
for DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD AND LIVESTOCK WATER.

This right was perfected under Permit 52181. The date of priority is
FEBRUARY 5, 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 (CFS), or its equivalent in case of rotation,
measured at the point of diversion from the source. DOMESTIC USE EXPANDED
FOR ONE HOUSEHOLD AND DOMESTIC ANIMAL CONSUMPTION THAT IS ANCILLARY TO
RESIDENTIAL USE OF THE PROPERTY IS ALLOWED DECEMBER 1 THROUGH APRIL 30, AND
FURTHER LIMITED TO 0.005 CFS FOR HUMAN CONSUMPTION AND DOMESTIC ANIMAL
CONSUMPTION THAT IS ANCILLARY TO RESIDENTIAL USE OF THE PROPERTY DURING THE
PERIOD OF MAY 1 THROUGH NOVEMBER 30 EACH YEAR.

The point of diversion is located as follows:

SE 1/4 NW 1/4, SECTION 15, TOWNSHIP 23 SOUTH, RANGE 4 WEST, W.M.; 3880 FEET
NORTH AND 2130 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 15.

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:

SW 1/4 NE 1/4 LIVESTOCK
SE 1/4 NW 1/4 DOMESTIC
SECTION 15
TOWNSHIP 23 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 water user shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screen and fishway are to be in place, functional, and approved by Oregon Department of Fish and Wildlife.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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 79365.