

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH H. AND SHIRLEYMAE C. COLE
1106 ECHO DRIVE
ROSEBURG, OREGON 97470-9462

confirms the right to use the waters of NORTH UMPQUA RIVER, a tributary of UMPQUA RIVER, for DOMESTIC USE FOR ONE HOUSEHOLD AND IRRIGATION OF 0.5 ACRE.

This right was perfected under Permit 51719. The date of priority is MARCH 20, 1992. This right is limited to 0.01 CUBIC FEET PER SECOND (CFS), BEING 0.005 CFS FOR DOMESTIC USE, AND 0.005 CFS FOR IRRIGATION, or its equivalent in case of rotation, measured at the point of diversion from the source. THE PERIOD OF ALLOWED USE FOR IRRIGATION IS MARCH 1 THROUGH OCTOBER 31. DOMESTIC USE IS ALLOWED YEAR ROUND.

The point of diversion is located as follows:

SW 1/4 NW 1/4, AS PROJECTED WITHIN H. DIXON DLC 41, SECTION 23, TOWNSHIP 26 SOUTH, RANGE 5 WEST, W.M.; 1870 FEET SOUTH AND 1970 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 23.

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:

SW 1/4 NW 1/4 0.5 ACRE AND DOMESTIC
AS PROJECTED WITHIN H. DIXON DLC 41
SECTION 23
TOWNSHIP 26 SOUTH, RANGE 5 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 bypass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion. The required screens and bypass devices are to be in place, functional, and approved by an ODFW representative.

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 79386.