

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LARRY L. McMICHAEL
6100 SE PAULINA HWY
PRINEVILLE, OR 97754

confirms the right to use the waters of AN UNNAMED SPRING, within the MIDDLE FORK JOHN DAY RIVER BASIN, for DOMESTIC USE FOR TWO FAMILIES.

This right was perfected under Permit 53734. The date of priority is JULY 10, 2000. 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, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NW 1/4, SECTION 14, TOWNSHIP 10 SOUTH, RANGE 32 EAST, W.M.;
1810 FEET SOUTH AND 2800 FEET WEST OF THE NE CORNER OF SECTION 14.

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 SW 1/4
SECTION 12
TOWNSHIP 10 SOUTH, RANGE 32 EAST, 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 use of water allowed herein during the period January 1 through March 31 and June 1 through December 31 shall be made only at times when waters from the spring would not, under natural conditions, contribute flow to downstream waters, or at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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

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 June 13, 2002.


Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79523.