

STATE OF OREGON  
COUNTY OF DOUGLAS  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM L. OR CORA L. FUMMERTON  
1622 MELTON ROAD  
ROSEBURG, OREGON 97470

confirms the right to use the waters of MELTON CREEK, a tributary of TUCKER CREEK, for IRRIGATION OF 1.0 ACRE AND DOMESTIC USE FOR TWO FAMILIES INCLUDING IRRIGATION OF NOT TO EXCEED ONE-HALF ACRE LAWN AND NONCOMMERCIAL GARDEN FOR EACH.

This right was perfected under Permit 51466. The date of priority is MAY 31, 1990. This right is limited to 0.023 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

It is further provided that the right allowed herein shall be limited during the period of March 31 through October 31 of each year to human consumption, livestock consumption for such animals as are essential to the proper sustenance of the family and irrigation of a noncommercial garden not to exceed one-half acre in area for each family.

The points of diversion are located as follows:

- POD 1: NE 1/4 SW 1/4, SECTION 12, TOWNSHIP 28 SOUTH, RANGE 5 WEST, W.M.; 1550 FEET NORTH AND 2390 FEET EAST FROM THE SW CORNER OF SECTION 12; AND  
POD 2: NE 1/4 SW 1/4, SECTION 12, TOWNSHIP 28 SOUTH, RANGE 5 WEST, W.M.; 1530 FEET NORTH AND 2390 FEET EAST, FROM THE SW CORNER OF SECTION 12.

Diversion screening or fish passage facilities shall be operated and maintained to Oregon Department of Fish and Wildlife specifications.

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.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

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 SW 1/4 1.0 ACRE AND DOMESTIC  
SECTION 12  
TOWNSHIP 28 SOUTH, RANGE 5 WEST, W.M.

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.

WITNESS the signature of the Water Resources Director, affixed September 3, 2002.

  
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Paul R. Cleary



Recorded in State Record of Water Right Certificates Number 79588.