

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EARL A. AND FLORINE SPAETH
242 HINKLE CREEK RD.
SUTHERLIN, OR 97479

confirms the right to use the waters of CALAPOOYA CREEK, a tributary of UMPQUA RIVER, for DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD.

This right was perfected under Permit 51888. The date of priority is JUNE 22, 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) FOR DOMESTIC USE EXPANDED, AND FURTHER LIMITED TO 0.005 CFS FOR HUMAN CONSUMPTION ONLY DURING THE PERIOD FROM MAY 1 THROUGH NOVEMBER 30 OF EACH YEAR, 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 NE 1/4, SECTION 31, TOWNSHIP 24 SOUTH, RANGE 3 WEST, W.M.; 2570 FEET SOUTH AND 480 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 31.

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:

SE 1/4 NE 1/4
SECTION 31
TOWNSHIP 24 SOUTH, RANGE 3 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 water master 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.

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.

- 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 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.

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.

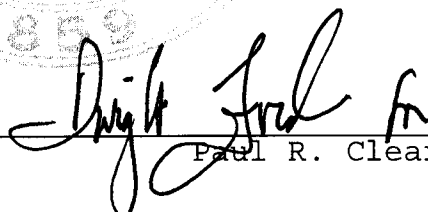
The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 September 3, 2002.



Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79594.