

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JERRY L. ROGERS
P.O. BOX 723
CANYONVILLE, OREGON 97417

confirms the right to use the waters of AN UNNAMED SPRING IN THE ASH CREEK BASIN, for DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD AND IRRIGATION OF 2.65 ACRES.

This right was perfected under Permit 52154. The date of priority is NOVEMBER 17, 1993. This right is limited to 0.04 CUBIC FOOT PER SECOND (CFS), BEING 0.01 CFS FOR DOMESTIC USE EXPANDED AND 0.03 CFS FOR IRRIGATION OF 2.65 ACRES, or its equivalent in case of rotation, measured at the point of diversion from the source.

The use of water under this right is limited to the period MARCH 1 THROUGH JUNE 30 FOR IRRIGATION; AND DECEMBER 1 THROUGH JUNE 30 FOR DOMESTIC USE EXPANDED, FURTHER LIMITED FROM JULY 1 THROUGH NOVEMBER 30 TO HUMAN CONSUMPTION AND IRRIGATION OF UP TO ONE-HALF ACRE NONCOMMERCIAL GARDEN.

The point of diversion is located as follows:

LOT 4 (SE 1/4 SE 1/4), SECTION 8 TOWNSHIP 29 SOUTH, RANGE 1 EAST, W.M.; 605 FEET SOUTH AND 1057 FEET WEST FROM THE CORNER #1 OF H.E.S. #144.

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:

LOT 4 (SE 1/4 SE 1/4) 2.65 ACRES AND DOMESTIC
SECTION 8
TOWNSHIP 29 SOUTH, RANGE 1 EAST, W.M.

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.

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 permit. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

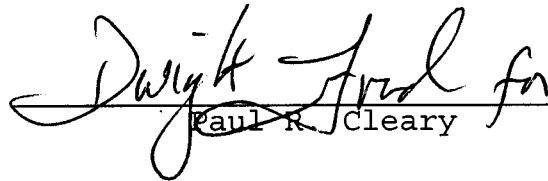
Failure to comply with any of the provisions of this right may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the right.

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 January 10, 2003.


Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79842.