

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHANN J. SPROSS
747 BRAUNDA DRIVE
ROSEBURG, OREGON 97470

confirms the right to use the waters of AN UNNAMED SPRING AND BRITT CREEK, tributaries of NORTH UMPQUA RIVER, for IRRIGATION OF 0.5 ACRE AND DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD.

This right was perfected under Permit 52982. The date of priority is OCTOBER 18, 1991. 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); BEING 0.005 CFS FROM AN UNNAMED SPRING FOR DOMESTIC USE EXPANDED AND 0.005 CFS FROM BRITT CREEK FOR IRRIGATION OF 0.5 ACRE, or its equivalent in case of rotation, measured at the point of diversion from the source. The use of water from the unnamed spring is limited to human consumption during the period August 1 through September 30 at times when the flow of water from the spring contributes to Britt Creek. The use of water for irrigation from Britt Creek is limited to March 1 through July 31 and October 1 through October 31 of each year.

The points of diversion are located as follows:

SPRING - SW 1/4 SE 1/4, SECTION 10, TOWNSHIP 26 SOUTH, RANGE 3 WEST, W.M.; 510 FEET NORTH AND 1100 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 10; AND

BRITT CREEK - SW 1/4 SE 1/4, SECTION 10, TOWNSHIP 26 SOUTH, RANGE 3 WEST, W.M.; 410 FEET NORTH AND 1120 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 10.

The amount of water used for irrigation under this right, 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 1/2 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.

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.

71955.SB

Certificate Number 79971

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 SE 1/4
SECTION 10
TOWNSHIP 26 SOUTH, RANGE 3 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 to prevent fish from entering the diversion. The water user shall also install a fishway at the obstruction that provides adequate upstream and downstream passage for fish. The fishways are to be 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 March 28, 2003.


Paul R. Cleary



Recorded in State Record of Water Right Certificates Number 79971.

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