

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROLAND THEISS
P.O. BOX 824
MYRTLE CREEK, OREGON 97457

PAUL A. KERLEY
P.O. BOX 5517
SALEM, OREGON 97304

confirms the right to use the waters of ROCK CANAL, a tributary of SOUTH UMPQUA RIVER, for DOMESTIC USE EXPANDED FOR TWO FAMILIES.

This right was perfected under Permit 51707. The date of priority is APRIL 14, 1993. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.02 CUBIC FOOT PER SECOND (CFS); BEING 0.01 CFS FOR EACH FAMILY, or its equivalent in case of rotation, measured at the point of diversion from the source. **The use of water is further limited to an amount of water not to exceed 0.005 CFS for human consumption, livestock consumption and irrigation of up to one-half acre non-commercial garden from July 1 through November 30 of each year for each family.**

The point of diversion is located as follows:

SE 1/4 SW 1/4, SECTION 31, TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.;
124 FEET NORTH AND 1033 FEET WEST FROM THE SOUTH 1/4 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:

SW 1/4 SE 1/4
SECTION 31
TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.
LOT 2 (NE 1/4 NW 1/4)
SECTION 6
TOWNSHIP 30 SOUTH, RANGE 5 WEST, 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 right. 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.

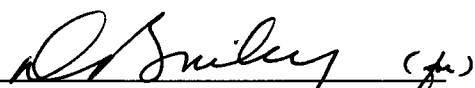
The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

Issued July 23, 2003.


Paul R. Cleary, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80376.
73341.SB