

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MICHAEL JON RAMBERG
790 HARDSCRABBLE RD.
DRAIN, OR 97435-9775

DANIEL R. ASH
P.O. BOX 548
DRAIN, OR 97435

confirms the right to use the waters of TWO UNNAMED STREAMS, tributaries of HARDSCRABBLE CREEK, for DOMESTIC USE FOR THREE HOUSEHOLDS INCLUDING THE IRRIGATION OF LAWN AND NONCOMMERCIAL GARDEN NOT TO EXCEED ONE-HALF ACRE FOR EACH HOUSEHOLD.

This right was perfected under Permit 51900. The date of priority is FEBRUARY 27, 1991. 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, or its equivalent in case of rotation, measured at the point of diversion from the source. THE USE IS LIMITED TO HUMAN CONSUMPTION AND DOMESTIC ANIMAL CONSUMPTION THAT IS ANCILLARY TO RESIDENTIAL USE OF THE PROPERTY INCLUDING IRRIGATION OF UP TO ONE-HALF ACRE NONCOMMERCIAL GARDEN DURING THE PERIOD FROM APRIL 1 THROUGH NOVEMBER 30 OF EACH YEAR.

The points of diversion are located as follows:

POD #1 (RAMBERG) - SE 1/4 NE 1/4, SECTION 11, TOWNSHIP 22 SOUTH, RANGE 6 WEST, W.M., 1780 FEET SOUTH AND 120 FEET WEST FROM THE NW CORNER OF SECTION 12; POD #2 (ASH) - SW 1/4 NW 1/4, SECTION 12, TOWNSHIP 22 SOUTH, RANGE 6 WEST, W.M., 1540 FEET SOUTH AND 770 FEET EAST FROM THE NW CORNER OF SECTION 12.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

SW 1/4 NW 1/4 2 DOMESTICS - RAMBERG
SE 1/4 NW 1/4 1 DOMESTIC - ASH
SECTION 12
TOWNSHIP 22 SOUTH, RANGE 6 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.

The water user shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion. The required screens and by-pass devices are to be in place, functional, and approved by Oregon Department of Fish and Wildlife.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream unless a fishway is provided.

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 22, 2004.



Phillip C. Ward, Acting Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80797.

S-71327.DIP

