

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DOUGLAS COUNTY NATURAL RESOURCES
1036 SE DOUGLAS AVE, ROOM 306
ROSEBURG, OREGON 97470

confirms the right to use the waters of ELK CREEK, a tributary of
UMPQUA RIVER, for IRRIGATION OF 60.6 ACRES.

This right was perfected under Permit 19149. The date of priority is
AUGUST 15, 1949. The amount of water to which this right is entitled
is limited to an amount actually beneficially used and shall not
exceed 0.76 CUBIC FOOT PER SECOND (IF LAWFULLY AVAILABLE AT THE
ORIGINAL POINTS OF DIVERSION DESCRIBED AS LOCATED WITHIN SE 1/4 SW
1/4, SECTION 9, NE 1/4 NW 1/4, SW 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW
1/4, SE 1/4 SW 1/4, SECTION 16, TOWNSHIP 23 SOUTH, RANGE 4 WEST,
W.M.), or its equivalent in case of rotation, measured at the points
of diversion from the source.

The points of diversion are located as follows:

SE 1/4 SW 1/4, SECTION 9, TOWNSHIP 23 SOUTH, RANGE 4 WEST, W.M.;
275 FEET NORTH AND 1650 FEET EAST FROM THE NORTHWEST CORNER OF
SECTION 16; AND

NE 1/4 SW 1/4, SECTION 16, TOWNSHIP 23 SOUTH, RANGE 4 WEST, W.M.;
3080 FEET SOUTH AND 1820 FEET EAST FROM THE NORTHWEST CORNER OF
SECTION 16.

The amount of water used for irrigation, together with the amount
secured under any other right existing for the same lands, is limited
to ONE-EIGHTIETH of one cubic foot per second per acre, or its
equivalent for each acre irrigated and shall be further limited to a
diversion of not to exceed 2 1/2 acre-feet per acre 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.

T-8354.SB

Certificate Number 80977

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

SW 1/4 SW 1/4	2.1 ACRES
SE 1/4 SW 1/4	7.4 ACRES

SECTION 9

NE 1/4 NW 1/4	7.6 ACRES
NW 1/4 NW 1/4	9.0 ACRES
SW 1/4 NW 1/4	8.1 ACRES
SE 1/4 NW 1/4	13.7 ACRES
NE 1/4 SW 1/4	12.7 ACRES

SECTION 16

TOWNSHIP 23 SOUTH, RANGE 4 WEST, W.M.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The water user shall install and maintain a fish screen and by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife and shall be installed under the supervision of the Oregon Department of Fish and Wildlife.

This certificate is issued to confirm a change in PLACE OF USE, CHARACTER OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 12, 2001, and supersedes the right perfected under the terms and conditions of Special Order of the Water Resources Director entered June 6, 1997, approving Transfer Application No. T-7723, in which proof to the satisfaction of the Director that use was made under the terms and conditions of Order approving said application.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. 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.

Issued October 21, 2004.


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80977.
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