

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HALE LIVING TRUST
E.L. AND PARNA HALE, TRUSTEES
78763 RAT CREEK ROAD
COTTAGE GROVE, OREGON 97424

confirms the right to use the waters of A SPRING, RAT CREEK, AND AN UNNAMED STREAM, tributaries of the ROW RIVER, for DOMESTIC USE FOR ONE FAMILY FROM A SPRING, IRRIGATION OF 4.8 ACRES FROM RAT CREEK, IRRIGATION OF 0.6 ACRE FROM AN UNNAMED STREAM, STOCK USE FROM RAT CREEK, AND MAINTAINING HALE RESERVOIR CONSTRUCTED UNDER PERMIT R-6653 FROM RAT CREEK AND AN UNNAMED STREAM FOR FISH CULTURE.

This right was perfected under Permit 41994. The date of priority is AUGUST 23, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.098 CUBIC FOOT PER SECOND; BEING 0.005 CFS FROM A SPRING FOR DOMESTIC USE, 0.005 CFS FROM RAT CREEK FOR STOCK USE, 0.060 CFS FROM RAT CREEK FOR IRRIGATION OF 4.8 ACRES, 0.010 CFS FROM RAT CREEK FOR MAKING UP ANY DEFICIENCY FROM AN UNNAMED STREAM FOR FISH CULTURE, 0.008 CFS FROM AN UNNAMED STREAM FOR IRRIGATION OF 0.6 ACRE, AND 0.010 CFS FROM AN UNNAMED STREAM FOR MAINTENANCE OF HALE RESERVOIR FOR FISH CULTURE, or its equivalent in case of rotation, measured at the points of diversion from the sources.

S-56473.LHN

CERTIFICATE 81386

The points of diversion are located as follows:

RAT CREEK - NW 1/4 NE 1/4, SECTION 27, T 20 S, R 2 W, W.M.; 1400 FEET NORTH AND 1150 FEET EAST FROM THE CENTER 1/4 CORNER, SECTION 27.

UNNAMED CREEK POD 2 - SW 1/4 NE 1/4, SECTION 27, T 20 S, R 2 W, W.M.; 1100 FEET NORTH AND 290 FEET EAST FROM THE CENTER 1/4 CORNER, SECTION 27.

UNNAMED CREEK POD 3 - SW 1/4 NE 1/4, SECTION 27, T 20 S, R 2 W, W.M.; 650 FEET NORTH AND 500 FEET EAST FROM THE CENTER 1/4 CORNER, SECTION 27.

SPRING - SW 1/4 NE 1/4, SECTION 27, T 20 S, R 2 W, W.M.; 530 FEET NORTH AND 100 FEET EAST FROM THE CENTER 1/4 CORNER, SECTION 27.

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 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 2.5 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.

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

SW 1/4 NE 1/4	4.8 ACRES FROM RAT CREEK 0.6 ACRE FROM THE UNNAMED STREAM DOMESTIC USE, FISH CULTURE, AND STOCK USE
SECTION 27	
TOWNSHIP 20 SOUTH, RANGE 2 WEST, W.M.	

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE POINTS OF DIVERSION, CLARIFY THE QUANTITIES OF WATER ALLOWED, AND SUPERSEDES CERTIFICATE 66487.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 MAY 26, 2005.

Dwight Ford for

Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81386.

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