

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN AND COLLEEN UNGER
3000 CROOKS CREEK RD
SELMA OR 97538

confirms the right to use the waters of MENDENHALL CREEK, A TRIBUTARY OF ILLINOIS RIVER for HUMAN CONSUMPTION USE FOR ONE HOUSEHOLD.

This right was perfected under Permit 53986. The date of priority is DECEMBER 27, 2002. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.005 CUBIC FOOT PER SECOND, measured at the point of diversion.

Period of use is October 1 through June 30.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
40 S	8 W	WM	7	NW NW		39	200 FEET SOUTH & 1200 FEET EAST FROM NW CORNER, SECTION 7

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

Twp	Rng	Mer	Sec	Q-Q
40 S	8 W	WM	6	NE SW

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

access upon reasonable notice.

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. The water user is hereby directed to contact a ODFW Fish Passage Program coordinator before beginning construction of any in-channel obstruction.

The water user shall 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 proposed diversion

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.

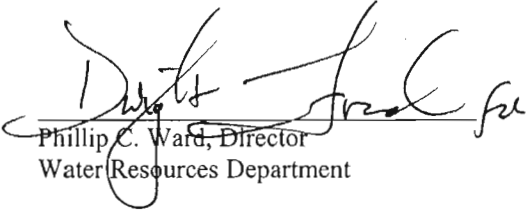
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows, except where those instream water rights allow for the use authorized herein.

JUL 29 2008

Issued _____


Phillip C. Ward, Director
Water Resources Department