

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT L MUCKEY AND GAYLE A GENNETTE
2001 45 ST
SACRAMENTO CA 95817

confirms the right to use the waters of FOUR UNNAMED SPRINGS, TRIBUTARIES TO TODD CREEK for DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD, IRRIGATION OF 10.0 ACRES, AND LIVESTOCK WATERING.

This right was perfected under Permit 52888. The date of priority is DECEMBER 30, 1992. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.155 CUBIC FOOT PER SECOND (CFS) FROM LIVE FLOW, BEING 0.01 CFS FROM SPRING 3 FOR DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD; 0.125 CFS FOR IRRIGATION OF 10.0 ACRES FROM EITHER OF SPRINGS 4 AND 5; 0.02 CFS FOR LIVESTOCK WATER, BEING NOT MORE THAN 0.005 CFS FROM EACH POINT OF DIVERSION, measured at the point of diversion.

Period of use is year round for domestic use expanded for one household from spring 3; March 1 through October 31 for irrigation from spring 4 and spring 5; year round for livestock watering.

The points of diversion are located as follows:

Spring	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2	29 S	6 W	WM	35	NE SE	NORTH 45 DEGREES 35 MINUTES WEST 1138 FEET FROM E 1/4 CORNER, SECTION 35
3	29 S	6 W	WM	35	NE SE	SOUTH 32 DEGREES 57 MINUTES WEST 815 FEET FROM E 1/4 CORNER, SECTION 35
4	29 S	6 W	WM	35	SE SE	SOUTH 61 DEGREES 32 MINUTES WEST 1138 FEET FROM NE CORNER, SE 1/4 SE 1/4, SECTION 35
5	29 S	6 W	WM	35	SE SE	SOUTH 58 DEGREES 12 MINUTES WEST 767 FEET FROM NE CORNER, SE 1/4 SE 1/4, SECTION 35

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 diversion of ONE-EIGHTIETH of one cubic foot per second, 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.

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.

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

DOMESTIC						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
29 S	6 W	WM	35	NE SE		

LIVESTOCK						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
29 S	6 W	WM	35	NE SE		
29 S	6 W	WM	35	SE SE		

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
29 S	6 W	WM	35	SE NE			0.6
29 S	6 W	WM	35	NE SE			9.4

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- 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 access upon reasonable notice.
- C. 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 maintain and operate fish screening to prevent fish screening to prevent fish from entering the diversion.

The water user shall also maintain a fishway at the obstruction at the obstruction that will provide adequate upstream and downstream passage for fish.

The use of water allowed herein may be made only at times when waters from the spring would not otherwise flow into a tributary of Dry Creek or sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

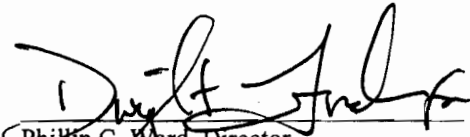
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 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 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.

Issued JAN 23 2009



Phillip C. Ward, Director
Water Resources Department