

STATE OF OREGON
 COUNTY OF DOUGLAS
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EDWARD J. COOLEY
 P.O. BOX 642
 ELKTON, OR 97436

confirms the right to use the waters of MEHL CREEK AND AN UNNAMED STREAM, tributaries of the UMPQUA RIVER, for PRIMARY IRRIGATION OF 4.8 ACRES.

This right was perfected under Permit 46290. The date of priority is AUGUST 12, 1980. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.059 CUBIC FOOT PER SECOND FROM MEHL CREEK WHEN AVAILABLE WITH ANY DEFICIENCY IN SUPPLY AT MEHL CREEK TO BE MADE UP BY DIVERSION OF WATER FROM THE UNNAMED STREAM, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	G LOT	Survey Coordinates
MEHL CREEK	23 S	8 W	WM	13	NW NE	2	620 FEET SOUTH AND 860 FEET EAST FROM THE N ¼ CORNER, SECTION 13
UNNAMED STREAM	23 S	8 W	WM	13	NW NE	2	1250 FEET SOUTH AND 600 FEET EAST FROM THE N ¼ CORNER, SECTION 13

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 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, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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:

Twp	Rng	Mer	Sec	Q-Q	G LOT	Acres
23 S	8 W	WM	13	NE NE	1	4.2
23 S	8 W	WM	13	NW NE	2	0.6

NOTICE OF RIGHT TO 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.

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 maintain a fish screen or fish by-pass device.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered APRIL 26, 2002, at Special Order Volume 56, Page 258, approving Transfer Application 8568, and together with Certificate 79461, supercedes Certificate 74501, State record of Water Right Certificates.

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 NOV 19 2008.


Phillip C. Ward, Director