STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ETHAN AND TRACY HELEY
69253 HELEY RD
NORTH BEND OR 97459

confirms the right to use the waters of A SPRING, A TRIBUTARY OF SHUTTERS CREEK for DOMESTIC USE FOR TWO HOUSEHOLDS, INCLUDING IRRIGATION OF A LAWN OR NON-COMMERCIAL GARDEN NOT TO EXCEED 1/2 ACRE IN AREA.

This right was perfected under Permit 53078. The date of priority is MAY 6, 1996. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.001 CUBIC FOOT PER SECOND, measured at the point of diversion.

Period of allowed use is April 1 through November 31 for domestic use expanded and limited to human consumption during the period December 1 through March 1.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
23 S	12 W	WM	33	NW SW			SOUTH 80 DEGREES 30 MINUTES EAST 1220 FEET FROM W1/4 CORNER, SECTION 33

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

Twp	Rng	Mer	Sec	Q-Q
23 S	12 W	WM	33	NW SW

Measurement, recording and reporting conditions:

A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to

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.

submit alternative measuring procedures for review and approval.

B. 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 use of water allowed herein may be made only at times when waters from the spring would not otherwise flow into shutter creek or sufficient water is available to satisfy all prior rights, including 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 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 3 0 2009.

Phillip C. Ward, Director
Water Resources Department

 Recorded in State Record of Water Right Certificates numbered 85328.