

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAY RILEY AND LISA K SWOFFORD
39835 WENDLING RD
MARCOLA OR 97454

confirms the right to use the waters of AN UNNAMED SPRING AND MILL CREEK, TRIBUTARIES OF MOHAWK RIVER, for DOMESTIC USE EXPANDED FOR TWO FAMILIES AND IRRIGATION of 12.69 ACRES.

This right was perfected under Permit 51408. The date of priority is MARCH 29, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.179 CUBIC FOOT PER SECOND (CFS), BEING 0.02 CFS FROM SPRING FOR DOMESTIC USE AND 0.159 CFS FROM MILL CREEK FOR IRRIGATION, measured at the points of diversion.

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

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
SPRING	16 S	1 W	WM	10	SW NW	318 FEET NORTH & 261 FEET EAST FROM W1/4 CORNER, SECTION 10
A	16 S	1 W	WM	10	NW SW	900 FEET SOUTH & 1148 FEET EAST FROM W1/4 CORNER, SECTION 10
B	16 S	1 W	WM	10	NW SW	953 FEET SOUTH & 1019 FEET EAST FROM W1/4 CORNER, SECTION 10

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.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	1 W	WM	10	NW SW			12.69

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.

DOMESTIC USE EXPANDED						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
16 S	1 W	WM	10	NW SW		

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.

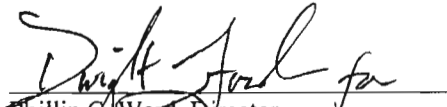
This right is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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 MAR 06 2009.


 Phillip C. Ward, Director
 Water Resources Department