

STATE OF OREGON

COUNTY OF LINCOLN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES M DENISON
PO BOX 2512
LEBANON OR 97355-0837

confirms the right to use the waters of AN UNNAMED STREAM, A TRIBUTARY OF BIG ELK CREEK for DOMESTIC USE FOR TWO HOUSEHOLDS INCLUDING THE IRRIGATION OF LAWN OR NONCOMMERCIAL GARDEN NOT TO EXCEED ONE-HALF ACRE IN AREA FOR EACH, FURTHER LIMITED TO HUMAN CONSUMPTION USE FOR TWO HOUSEHOLDS INCLUDING IRRIGATION OF ½ ACRE (TOTAL) GARDEN AS DESCRIBED BELOW.

This right was perfected under Permit 53614. The date of priority is DECEMBER 31, 1998. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.010 CUBIC FOOT PER SECOND, measured at the point of diversion.

Period of use is December 1 through July 31 for domestic use including the irrigation of lawn or noncommercial garden not to exceed one-half acre in area for each; August 1 through November 30 for human consumption use only including irrigation of ½ acre (total) garden.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
12 S	9 W	WM	6	SE NE			NORTH 48 DEGREES 28 MINUTES 32 SECONDS WEST, 1038.8 FEET FROM E1/4 CORNER, SECTION 6

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
12 S	9 W	WM	5	NW SW		
12 S	9 W	WM	6	NE SE		

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.

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.

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 access upon reasonable notice.

The water user shall maintain and operate an in-line storage tank to provide a water source during critical summer weeks.

The water user shall maintain a grey water system to utilize home waste water for outside irrigation. All outside watering shall be done from the grey water system or water that has been collected from rain runoff from impervious surfaces first. Additional water may be used from the stream once the grey water system is exhausted, if necessary.

Low flow shower heads, bathroom and kitchen faucets, and toilets shall be maintained in good working order.

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 MAR 06 2009


Phillip C. Ward, Director
Water Resources Department