

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD A AND SANDRA L GRAF
10062 S MYRTLE RD
MYRTLE CREEK OR 97457

confirms the right to use the waters of TWO UNNAMED RESERVOIRS, CONSTRUCTED UNDER PERMIT R-11774, AND AN UNNAMED STREAM, TRIBUTARIES OF SOUTH MYRTLE CREEK for DOMESTIC USE FOR ONE HOUSEHOLD, STOCKWATER, AND SUPPLEMENTAL IRRIGATION of 11.6 ACRES.

This right was perfected under Permit 52179. The date of priority is JULY 27, 1993, FOR 0.01 CUBIC FOOT PER SECOND (CFS) FOR DOMESTIC USE FOR ONE HOUSEHOLD INCLUDING UP TO 1/2 ACRE LAWN AND NON-COMMERCIAL GARDEN, AND 0.005 CFS FOR LIVESTOCK; OCTOBER 11, 1994, FOR 0.145 CFS FOR SUPPLEMENTAL IRRIGATION OF 11.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.160 CUBIC FOOT PER SECOND (CFS), BEING 0.01 CFS FOR DOMESTIC USE FOR ONE HOUSEHOLD INCLUDING UP TO 1/2 ACRE LAWN AND NON-COMMERCIAL GARDEN, 0.005 CFS FOR STOCKWATER, AND 0.145 CFS FOR SUPPLEMENTAL IRRIGATION OF 11.6 ACRES, measured at the points of diversion.

Period of allowed use for live flow is January 1 through May 31 for domestic use including irrigation of up to 1/2 acre lawn and non-commercial garden; June 1 through December 31 for human consumption for one household including irrigation of up to 1/2 acre lawn and non-commercial garden; March 1 through May 31 for supplemental irrigation of 11.6 acres; and year round for livestock.

Period of allowed use for stored water only is March 1 through October 31 for supplemental irrigation; and water legally stored may be used for domestic use for one household including irrigation of up to 1/2 acre non-commercial garden; March 1 through May 31 for supplemental irrigation of 11.6 acres; and year round for livestock.

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

POD	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1	29 S	4 W	WM	24	NW SE	327 FEET SOUTH & 538 FEET EAST FROM C1/4 CORNER, SECTION 24
2	29 S	4 W	WM	24	NW SE	200 FEET NORTH & 79 FEET WEST FROM SW CORNER, DLC 37

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.

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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

DOMESTIC AND STOCKWATER						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
29 S	4 W	WM	24	NW SE		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
29 S	4 W	WM	24	NW SE			11.3
29 S	4 W	WM	24	SW SE			0.3

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 upstream fish ways, fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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.

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.

Issued MAR 26 2010



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Water Resources Department