

STATE OF OREGON
 COUNTY OF DOUGLAS
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON PACIFICWEST DEVELOPMENT LLC
 PO BOX 1001
 ROSEBURG OR 97470

POPEYE'S GIRLFRIEND LLC
 3720 SW BOND STREET, UNIT 408
 PORTLAND, OR 97239

confirms the right to store water perfected under the terms of Permit R-1669. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-29411

SOURCE: FORD CREEK, A TRIBUTARY OF CALAPOOYA CREEK

STORAGE FACILITY: SUTHERLIN RESERVOIR (a.k.a. FORD'S POND) TO BE MAINTAINED UNDER PERMIT S-23163

PURPOSE or USE: RECREATION AND IRRIGATION

MAXIMUM STORAGE VOLUME: 980 ACRE FEET, BEING 880 ACRE FEET FOR RECREATION AND 50 ACRE FEET FOR IRRIGATION FOR OREGON PACIFICWEST DEVELOPMENT LLC AND 50 ACRE FEET FOR IRRIGATION FOR POPEYE'S GIRLFRIEND LLC.

DATE OF PRIORITY: AUGUST 19, 1954

The dam and point of diversion outlet is located:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	6 W	WM	14	NE SE	49	2560 FEET NORTH & 670 FEET WEST FROM SE CORNER, SECTION 14

The submerged area:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
25 S	6 W	WM	13	NE SW	2	
25 S	6 W	WM	13	NW SW	1	
25 S	6 W	WM	13	NW SW		49
25 S	6 W	WM	13	SW SW	3	
25 S	6 W	WM	13	SW SW		49

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
25 S	6 W	WM	13	SE SW	4	
25 S	6 W	WM	14	NE SE		49
25 S	6 W	WM	14	NW SE		49
25 S	6 W	WM	14	SW SE		49
25 S	6 W	WM	14	SE SE	6	
25 S	6 W	WM	14	SW SE		45
25 S	6 W	WM	14	SE SE		45
25 S	6 W	WM	14	SE SE		49

The water user shall no longer be able to call water from the mainstem of Calapooya Creek. All water stored or appropriated under these rights shall come from Ford Creek only.

The water used under the right perfected under permit 23163 shall be used to maintain the reservoir for recreation only. Any decline in reservoir level due to use of water for irrigation shall NOT be made up by appropriation of water under the right perfected under permit 23163. The use of water for irrigation shall be from stored water only.

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 of construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in CHARACTER OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered November 22, 1993, at Special Order Volume 47, Page 376, approving Transfer Application 6695, and supersedes Certificate 23963, State Record of Water Right Certificates.

Issued JAN 17 2013



Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director
Water Resources Department