

STATE OF OREGON
 COUNTY OF DOUGLAS
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TIM & BILLIE MCGARVEY
 7471 S MYRTLE RD
 MYRTLE CREEK OR 97457

confirms the right to the use of water perfected under the terms of Permit S-53958. 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 FILE NUMBER: S-85359

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF SOUTH MYRTLE CREEK

PURPOSE or USE: DOMESTIC USE, FURTHER LIMITED TO HUMAN CONSUMPTION AS DESCRIBED BELOW

MAXIMUM RATE: 0.005 CUBIC FOOT PER SECOND

PERIOD OF USE: DOMESTIC USE DURING THE PERIOD JANUARY 1 THROUGH MAY 31 AND HUMAN CONSUMPTION DURING THE PERIOD JUNE 1 THROUGH DECEMBER 31

DATE OF PRIORITY: NOVEMBER 27, 2002

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
29 S	4 W	WM	22	NW SW	8	560 FEET SOUTH AND 450 FEET EAST FROM W1/4 CORNER, SECTION 22

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
29 S	4 W	WM	22	SW NW

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 submit alternative measuring procedures for review and approval.

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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. 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 within three months after issuance of the certificate.

- 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 intake shall be adequately screened with 3/32" mesh to correspond with National Marine Fisheries Service criteria.

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, except where those instream water rights allow for the use authorized herein.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued FEB 05 2016


Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department