

STATE OF OREGON  
COUNTY OF DOUGLAS  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LINDEN TREE FARM  
900 BOOMER HILL RD  
MYRTLE CREEK OR 97457

confirms the right to store water perfected under the terms of Permit R-14082. 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: R-72564

SOURCE OF WATER: TWO SPRINGS AND SEVEN UNNAMED STREAMS, TRIBUTARIES OF SOUTH FORK VAN DINE CREEK AND SOUTH UMPQUA RIVER

STORAGE FACILITIES: GRADE POND, AZALEA POND, HEART POND, PRUNE ORCHARD POND, EAST POND, PUMP CHANCE POND, ISLAND POND, TROUT POND, AND GATE POND

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-72565, PERMIT S-54141, FOR LIVESTOCK WATER

MAXIMUM VOLUME: 14.04 ACRE-FEET (AF) EACH YEAR; BEING 0.32 AF IN GRADE POND, 0.6 AF IN AZALEA POND, 5.88 AF IN HEART POND, 0.3 AF IN PRUNE ORCHARD POND, 2.73 AF IN EAST POND, 0.24 AF IN PUMP CHANCE POND, 1.62 AF IN ISLAND POND, 2.17 AF IN TROUT POND, AND 0.18 AF IN GATE POND

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JULY 14

DATE OF PRIORITY: JULY 20, 1992

DAM LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	5 W	WM	19	NW SW	GRADE POND - 1660 FEET NORTH AND 1230 FEET EAST FROM NW CORNER, SECTION 30
29 S	5 W	WM	19	NW SE	AZALEA POND - 1680 FEET NORTH AND 1982 FEET WEST FROM NE CORNER, SECTION 30
29 S	5 W	WM	19	SE SE	HEART POND - 490 FEET NORTH AND 283 FEET WEST FROM NE CORNER, SECTION 30
29 S	5 W	WM	29	NW NE	PRUNE ORCHARD POND - 291 FEET SOUTH AND 2881 FEET EAST FROM NE CORNER, SECTION 30

**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.

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	5 W	WM	30	SW NW	PUMP CHANCE POND - 1856 FEET SOUTH AND 806 FEET EAST FROM NW CORNER, SECTION 30
29 S	5 W	WM	30	NE SW	EAST POND - 2735 FEET SOUTH AND 3311 FEET WEST FROM NE CORNER, SECTION 30
29 S	5 W	WM	30	NW SW	ISLAND POND - 2967 FEET SOUTH AND 253 FEET EAST FROM NW CORNER, SECTION 30
29 S	5 W	WM	30	NW SW	TROUT POND - 3405 FEET SOUTH AND 476 FEET EAST FROM NW CORNER, SECTION 30
29 S	5 W	WM	30	SW SW	GATE POND - 4493 FEET SOUTH AND 73 FEET EAST FROM NW CORNER, SECTION 30

The areas submerged by the reservoirs are as follows:

Twp	Rng	Mer	Sec	Q-Q	Pond
29 S	5 W	WM	19	NW SW	Grade Pond
29 S	5 W	WM	19	NW SE	Azalea Pond
29 S	5 W	WM	19	SE SE	Heart Pond
29 S	5 W	WM	29	NW NE	Prune Orchard Pond
29 S	5 W	WM	30	SW NW	Pump Chance Pond
29 S	5 W	WM	30	NE SW	East Pond
29 S	5 W	WM	30	NW SW	Island Pond
29 S	5 W	WM	30	NW SW	Trout Pond
29 S	5 W	WM	30	SW SW	Gate Pond

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.
- 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 storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

This right does provide for the appropriation of water for any out of reservoir uses, the maintenance of the water level or maintaining a suitable fresh water condition. If any water is used for out of reservoir uses, or any live flow is appropriated to maintain either the water level or a suitable freshwater condition, a secondary right is required.

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.

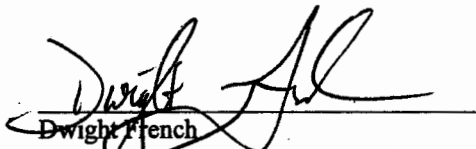
Use under this right is limited to the reservoir area. This right does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

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 plans.

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 DEC 30 2015



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

