

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DOUGLAS COUNTY PUBLIC WORKS DEPARTMENT  
NATURAL RESOURCES DIVISION  
1036 SE DOUGLAS AVE, ROOM 306 COURTHOUSE  
ROSEBURG OR 97470

confirms the right to the use of water perfected under the terms of Permit S-52933. 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-74270

SOURCE OF WATER: COW CREEK, SOUTH UMPQUA RIVER AND GALESVILLE RESERVOIR CONSTRUCTED UNDER PERMIT R-9964, TRIBUTARIES OF UMPQUA RIVER

PURPOSE or USE: IRRIGATION OF 121.8 ACRES, SUPPLEMENTAL IRRIGATION OF 24.5 ACRES, AND INDUSTRIAL USE

MAXIMUM RATE/VOLUME ALLOWED: 2.03 CUBIC FEET PER SECOND (CFS), BEING 0.01 CFS FROM COW CREEK AND 2.02 CFS FROM SOUTH UMPQUA RIVER, AND 306.2 ACRE-FEET OF STORED WATER

PERIOD OF USE: IRRIGATION FROM NATURAL FLOW – MARCH 1 THROUGH APRIL 30; IRRIGATION FROM STORED WATER – MARCH 1 THROUGH OCTOBER 31 OR AS FURTHER LIMITED BY CONTRACT; INDUSTRIAL USE FROM NATURAL FLOW – JANUARY 1 THROUGH APRIL 30; INDUSTRIAL USE FROM STORED WATER – YEAR ROUND OR AS FURTHER LIMITED BY CONTRACT

DATE OF PRIORITY: JUNE 27, 1994

The point of diversion is located as follows

GALESVILLE RESERVOIR					
Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	4 W	WM	28	SW NE	180 FEET NORTH AND 3030 FEET EAST FROM W 1/4 CORNER, SECTION 28

**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.

The points of diversion of live flow and withdrawal of stored water are located as follows:

COW CREEK DIVERSIONS						
Twp	Rng	Mer	Sec	Q-Q	Measured Distances	
30 S	6 W	WM	33	NE NW	CONTRACT I-93-1 - 960 FEET SOUTH AND 820 FEET WEST FROM N1/4 CORNER, SECTION 33	
31 S	4 W	WM	33	NW SE	CONTRACT I-94-1 - 225 FEET SOUTH AND 450 FEET EAST FROM C1/4 CORNER, SECTION 33	

SOUTH UMPQUA RIVER DIVERSIONS						
Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distance
27 S	6 W	WM	4	SW NE	51	CONTRACT I-94-2 NO.2 - 1890 FEET SOUTH AND 2410 FEET WEST FROM NE CORNER, SECTION 4
27 S	6 W	WM	4	NE NW	37	CONTRACT I-92-2 NO.1 - 810 FEET SOUTH AND 2990 FEET WEST FROM NE CORNER, SECTION 4
27 S	6 W	WM	36	NW SW		CONTRACT U & I-94-1 - 2300 FEET NORTH AND 1160 FEET EAST FROM SW CORNER, SECTION 36
28 S	6 W	WM	21	SE SW		CONTRACT I-94-4 - 500 FEET NORTH AND 1900 FEET EAST FROM SW CORNER SECTION 21
28 S	6 W	WM	21	SE SW		CONTRACT I-94-5 - 500 FEET NORTH AND 1900 FEET EAST FROM SW CORNER SECTION 21
29 S	6 W	WM	3	NE NE		CONTRACT I-94-3 - 600 FEET SOUTH AND 160 FEET WEST FROM NE CORNER, SECTION 3

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SEVENTIETH of one cubic foot per second (or its equivalent) and 3.5 acre-feet from within the Cow Creek subbasin and ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet within the South Umpqua basin for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

PRIMARY IRRIGATION FROM COW CREEK						
Twp	Rng	Mer	Sec	Q-Q	Acres	Contract
30 S	6 W	WM	33	SE NW	0.5	I-93-1

SUPPLEMENTAL IRRIGATION FROM GALESVILLE RESERVOIR WITHIN THE COW CREEK SUBBASIN						
Twp	Rng	Mer	Sec	Q-Q	Acres	Contract
31 S	4 W	WM	33	NE SW	2.2	I-94-1
31 S	4 W	WM	33	SE SW	1.1	I-94-1
31 S	4 W	WM	33	NW SE	12.0	I-94-1
31 S	4 W	WM	33	SW SE	2.5	I-94-1
30 S	6 W	WM	33	SE NW	1.5	I-93-1

PRIMARY IRRIGATION FROM SOUTH UMPQUA RIVER								
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Contract
26 S	6 W	WM	33	NE SE	12		3.0	I-94-2
26 S	6 W	WM	33	NE SE		41	1.4	I-94-2
26 S	6 W	WM	33	NW SE		41	0.9	I-94-2
26 S	6 W	WM	33	SW SE		41	12.9	I-94-2
26 S	6 W	WM	33	SE SE	11		30.2	I-94-2
26 S	6 W	WM	33	SE SE		41	9.4	I-94-2

PRIMARY IRRIGATION FROM SOUTH UMPQUA RIVER								
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Contract
26 S	6 W	WM	34	SW SW			26.3	I-94-2
27 S	6 W	WM	3	NE NW	2		0.1	I-94-2
27 S	6 W	WM	3	NW NW	1		20.7	I-94-2
27 S	6 W	WM	4	NE NE	12		16.4	I-94-2

SUPPLEMENTAL IRRIGATION FROM GALESVILLE RESERVOIR WITHIN THE SOUTH UMPQUA RIVER SUBBASIN						
Twp	Rng	Mer	Sec	Q-Q	Acres	Contract
28 S	6 W	WM	21	SE SW	1.53	I-94-4
28 S	6 W	WM	21	SE SW	0.47	I-94-5
29 S	6 W	WM	2	NW NW	2.7	I-94-3
29 S	6 W	WM	3	NE NE	0.5	I-94-3

INDUSTRIAL USE					
Twp	Rng	Mer	Sec	Q-Q	Contract
27 S	6 W	WM	36	SW NW	U&I-94-1
27 S	6 W	WM	36	SE NW	U&I-94-1
27 S	6 W	WM	36	NE SW	U&I-94-1
27 S	6 W	WM	36	NW SW	U&I-94-1
27 S	6 W	WM	36	SW SW	U&I-94-1
27 S	6 W	WM	36	SE SW	U&I-94-1

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device, as approved by the Director, 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.
- D. For the authorized points of diversion on Cow Creek and the South Umpqua River and the points of withdrawal for water released from Galesville Reservoir, where the amount of water authorized for diversion (withdrawal) is less than 0.10 cfs a measuring device shall not be required at this time.

For those points of withdrawal for water released from Galesville Reservoir where the water is being used as a supplemental supply on existing rights of record, a measuring device shall not be required at this time.

The Director may, in the future, 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.

The use of water under this right is subject to the terms and conditions of contract No.s I-93-1, I-94-1, U & I-94-1, I-94-2, I-94-3, I-94-4, AND I-95-1 (or satisfactory replacements) between Douglas County and individual water users, and copies of which are on file in the records of the Water Resources Department.

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

At the points of diversion on Cow Creek and the South Umpqua River and at the points of withdrawal for water released from Galesville Reservoir the water user shall maintain and operate fish screening to prevent fish from entering the proposed diversion.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject streams without providing a fishway to ensure adequate upstream and downstream passage for fish. The water user is hereby directed to contact the Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon before beginning construction of any in-channel obstruction.

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.

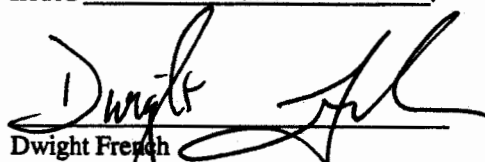
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 place of use described.

Issued                     MAY 23 2016                    



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