

STATE OF OREGON  
COUNTY OF DOUGLAS  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DOUGLAS COUNTY PUBLIC WORKS  
1036 SE DOUGLAS AVE, COURTHOUSE ROOM 306  
ROSEBURG OR 97470

confirms the right to the use of water perfected under the terms of Permit S-52930. 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-70716

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

PURPOSE or USE: IRRIGATION OF 34.27 ACRES AND SUPPLEMENTAL IRRIGATION OF 86.62 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 0.48 CUBIC FEET PER SECOND (CFS), BEING 0.08 CFS FROM SOUTH UMPQUA RIVER AND 0.40 CFS FROM COW CREEK AND 248.17 ACRE-FEET OF STORED WATER

PERIOD OF USE: APRIL 1 THROUGH APRIL 30 FROM NATURAL FLOW FROM COW CREEK, MARCH 2 THROUGH APRIL 30 FROM NATURAL FLOW FROM SOUTH UMPQUA RIVER, APRIL 2 THROUGH OCTOBER 1 FROM STORED WATER IN THE COW CREEK SUBBASIN, AND MARCH 1 THROUGH OCTOBER 31 FROM STORED WATER IN THE SOUTH UMPQUA SUBBASIN (EXCLUDING THE COW CREEK SUBBASIN)

DATE OF PRIORITY: SEPTEMBER 26, 1990

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 W1/4 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	GLot	Measured Distances	Contract
30 S	6 W	WM	33	NW NW	2	1090 FEET SOUTH AND 1340 FEET WEST FROM N1/4 CORNER, SECTION 33	I-88-12
31 S	4 W	WM	33	SW SE		300 FEET NORTH AND 40 FEET EAST FROM S1/4 CORNER, SECTION 33	I-88-18
32 S	4 W	WM	6	SE SE		1150 FEET NORTH AND 1020 FEET WEST FROM SE CORNER, SECTION 6	I-90-3
32 S	4 W	WM	7	NW NE		390 FEET SOUTH AND 490 FEET EAST FROM N1/4 CORNER, SECTION 7	I-88-8
32 S	4 W	WM	7	NE NW		900 FEET SOUTH AND 400 FEET WEST FROM N1/4 CORNER, SECTION 7	I-88-20
32 S	6 W	WM	32	NE SW		990 FEET SOUTH AND 1800 FEET EAST FROM W1/4 CORNER, SECTION 32	I-89-4
32 S	6 W	WM	35	NW SW	5	1360 FEET NORTH AND 680 FEET EAST FROM SW CORNER, SECTION 35	I-88-11
33 S	6 W	WM	4	NE NW		30 FEET SOUTH AND 1160 FEET WEST FROM N1/4 CORNER, SECTION 4	I-89-5

SOUTH UMPQUA RIVER DIVERSIONS								
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	MEASURED DISTANCE	Contract
27 S	5 W	WM	19	NW NW		39	15 FEET WEST FROM NW CORNER, DLC 39	I-88-10
30 S	5 W	WM	5	NW NE		38	660 FEET SOUTH AND 450 FEET EAST FROM N1/4 CORNER, SECTION 5	I-89-3
27 S	6 W	WM	4	SE NW	1		1620 FEET SOUTH AND 140 FEET WEST FROM N1/4 CORNER, SECTION 4	I-90-8
27 S	6 W	WM	9	SE NE		50	740 FEET NORTH AND 1230 FEET WEST FROM E1/4 CORNER, SECTION 9	I-88-9
27 S	6 W	WM	13	NE SW			1380 FEET NORTH AND 1600 FEET EAST FROM SW CORNER, SECTION 13	I-90-7
27 S	6 W	WM	14	SW NW		52	220 FEET NORTH AND 1080 FEET EAST FROM W1/4 CORNER, SECTION 14	I-88-22
27 S	6 W	WM	14	SE NW		52	10 FEET NORTH AND 1370 FEET EAST FROM W1/4 CORNER, SECTION 14	I-89-6
27 S	6 W	WM	14	NE SW	7		450 FEET SOUTH AND 1460 FEET EAST FROM W1/4 CORNER, SECTION 14	I-89-1
27 S	6 W	WM	14	NE SW	7		520 FEET SOUTH AND 1560 FEET EAST FROM W1/4 CORNER, SECTION 14	I-88-16
27 S	6 W	WM	14	NE SW	7		615 FEET SOUTH AND 1640 FEET EAST FROM W1/4 CORNER, SECTION 14	I-88-14
27 S	6 W	WM	14	NE SW	7		750 FEET SOUTH AND 1760 FEET EAST FROM W1/4 CORNER, SECTION 14	I-88-15
27 S	6 W	WM	14	NE SW	7		970 FEET SOUTH AND 1930 FEET EAST FROM W1/4 CORNER, SECTION 14	I-89-8
27 S	6 W	WM	16	NW NE		50	1330 FEET SOUTH AND 1670 FEET WEST FROM NE CORNER, SECTION 16	I-88-13
27 S	6 W	WM	16	SW SE			920 FEET NORTH AND 1380 FEET WEST FROM SE CORNER, SECTION 16	I-88-17

SOUTH UMPQUA RIVER DIVERSIONS							
Twp	Rng	Mer	Sec	Q-Q	DLC	MEASURED DISTANCE	Contract
27 S	6 W	WM	25	NE SW	41	450 FEET SOUTH AND 870 FEET WEST FROM C1/4 CORNER, SECTION 25	I-88-19
28 S	6 W	WM	2	SW NE		1520 FEET SOUTH AND 90 FEET EAST FROM N1/4 CORNER, SECTION 2	I-90-1
29 S	6 W	WM	4	NE NE	37	520 FEET SOUTH AND 1110 FEET WEST FROM NE CORNER, SECTION 4	I-90-9

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	GLot	Acres	Contract
31 S	4 W	WM	33	SE SW		1.0	I-88-18
32 S	4 W	WM	6	SE SE		0.51	I-90-3
30 S	6 W	WM	33	NW NW	2	0.6	I-88-12
30 S	6 W	WM	33	SW NW	1	0.6	I-88-12
32 S	6 W	WM	32	SE NW		1.4	I-89-4
32 S	6 W	WM	32	NE SW		10.6	I-89-4
32 S	6 W	WM	35	NW SW	5	1.6	I-88-11
32 S	6 W	WM	35	SW SW		10.6	I-88-11
33 S	6 W	WM	4	NE NW		0.75	I-89-5

PRIMARY IRRIGATION FROM SOUTH UMPQUA RIVER								
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Contract
30 S	5 W	WM	5	NW NE		38	0.1	I-89-3
30 S	5 W	WM	5	NW NE		37	0.15	I-89-3
27 S	6 W	WM	14	SW NW		52	0.35	I-88-22
27 S	6 W	WM	14	SE NW		52	0.6	I-89-6
27 S	6 W	WM	14	NE SW	7		0.8	I-88-14
27 S	6 W	WM	14	NE SW	7		0.8	I-88-15
27 S	6 W	WM	14	NE SW	7		0.7	I-88-16
27 S	6 W	WM	14	NE SW	7		0.8	I-89-8
27 S	6 W	WM	14	NE SW	7		0.7	I-89-1
27 S	6 W	WM	14	NW SW	6		0.2	I-89-1
27 S	6 W	WM	16	SW SE			1.0	I-88-17
28 S	6 W	WM	2	SW NE			0.41	I-90-1

SUPPLEMENTAL IRRIGATION FROM GALESVILLE RESERVOIR WITHIN THE COW CREEK SUBBASIN						
Twp	Rng	Mer	Sec	Q-Q	Acres	Contract
31 S	4 W	WM	33	SE SW	1.0	I-88-18
32 S	4 W	WM	6	SW SE	0.7	I-88-8
32 S	4 W	WM	6	SE SE	0.1	I-88-8
32 S	4 W	WM	6	SE SE	0.51	I-90-3
32 S	4 W	WM	7	NE NE	0.2	I-88-8

SUPPLEMENTAL IRRIGATION FROM GALESVILLE RESERVOIR WITHIN THE COW CREEK SUBBASIN							
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Contract
32 S	4 W	WM	7	NW NE		13.2	I-88-8
32 S	4 W	WM	7	NE NW		2.5	I-88-20
30 S	6 W	WM	33	NW NW	2	0.6	I-88-12
30 S	6 W	WM	33	SW NW	1	0.6	I-88-12
32 S	6 W	WM	35	NW SW	5	1.6	I-88-11
32 S	6 W	WM	35	SW SW		10.6	I-88-11

SUPPLEMENTAL IRRIGATION FROM GALESVILLE RESERVOIR WITHIN THE SOUTH UMPQUA RIVER SUBBASIN								
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Contract
27 S	5 W	WM	19	NW NW		39	0.3	I-88-10
27 S	6 W	WM	4	NE NW	8		0.1	I-90-8
27 S	6 W	WM	4	SE NW	1		1.5	I-90-8
27 S	6 W	WM	4	SE NW		50	6.0	I-90-8
27 S	6 W	WM	4	NE SW		50	8.4	I-90-8
27 S	6 W	WM	4	SE SW		50	2.5	I-90-8
27 S	6 W	WM	9	SW NE		50	22.2	I-88-9
27 S	6 W	WM	9	SE NW		50	4.2	I-88-9
27 S	6 W	WM	13	NE SW			0.1	I-90-7
27 S	6 W	WM	13	SE SW	6		0.6	I-90-7
27 S	6 W	WM	14	NE SW	7		0.8	I-88-14
27 S	6 W	WM	14	NE SW	7		0.8	I-88-15
27 S	6 W	WM	14	NE SW	7		0.7	I-88-16
27 S	6 W	WM	16	NW NE		50	0.45	I-88-13
27 S	6 W	WM	16	SW NE		50	0.55	I-88-13
27 S	6 W	WM	16	SW SE			1.0	I-88-17
27 S	6 W	WM	25	NE SW		41	0.6	I-88-19
28 S	6 W	WM	2	SW NE			0.41	I-90-1
29 S	6 W	WM	4	NE NE		37	3.8	I-90-9

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or 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-88-8, I-88-9, I-88-10, I-88-11, I-88-12, I-88-13, I-88-14, I-88-15, I-88-16, I-88-17, I-88-18, I-88-19, I-88-20, I-88-22, I-89-1, I-89-3, I-89-4, I-89-5, I-89-6, I-89-8, I-90-1, I-90-3, I-90-7, I-90-8, and I-90-9 (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 land.

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.

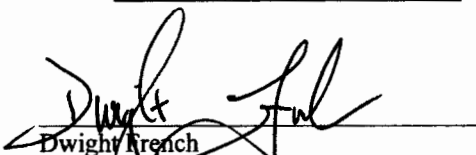
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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         JUN 24 2016        

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