

STATE OF OREGON  
COUNTY OF DOUGLAS  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DOUGLAS E JOHNSON  
5191 UPPER OLALLA RD  
WINSTON OR 97496

confirms the right to the use of water perfected under the terms of Permit S-53572. 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-83960

SOURCE OF WATER: OLALLA CREEK, TRIBUTARY TO LOOKINGGLASS CREEK, AND BEN IRVING RESERVOIR, CONSTRUCTED UNER PERMITS R-7256 AND R-8444, TRIBUTARY TO BERRY CREEK

PURPOSE or USE: DOMESTIC USE FOR ONE HOUSEHOLD INCLUDING IRRIGATION OF LAWN AND NON-COMMERCIAL GARDEN NOT TO EXCEED ½ ACRE IN AREA

MAXIMUM RATE/VOLUME ALLOWED: OLALLA CREEK - 0.01 CUBIC FOOT PER SECOND; STORED WATER FROM BEN IRVING RESERVOIR - 2.0 ACRE-FEET

PERIOD OF USE: OLALLA CREEK – MARCH 1 THROUGH MARCH 31; STORED WATER – YEAR ROUND OR AS FURTHER LIMITED BY CONTRACT WITH DOUGLAS COUNTY

DATE OF PRIORITY: SEPTEMBER 29, 1998

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Glot	Measured Distances
29 S	7 W	WM	8	NE SW	5	1830 FEET NORTH AND 340 FEET WEST FROM S1/4 CORNER, SECTION 8.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Glot
29 S	7 W	WM	8	NE SW	5

**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.

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 water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream unless a fishway is provided. The water user is hereby directed to contact a ODFW Fish Passage Program coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

The water user shall maintain and operate fish screening, with 3/32 inch mesh, and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

The use shall not result in excessive overland runoff. If excessive overland runoff occurs while irrigating, irrigation shall cease.

The use of water under this right is subject to the terms and conditions of the contract No. 206, or a satisfactory replacement, between Douglas County and the water user, a copy of which is on file in the records of the Water Resources Department.

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.

**NOV 17 2017**

Issued \_\_\_\_\_

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