

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J. F. LUSE COMPANY
SUTHERLIN, OR 97479

confirms the right to use the waters of BANK'S CREEK AND SMITH CANYON CREEK, tributary of CALAPOOIA RIVER for the IRRIGATION OF 243.73 ACRES AND DOMESTIC USE FROM BANK'S CREEK AND IRRIGATION OF 389.88 ACRES AND DOMESTIC USE FROM SMITH CANYON CREEK, UNDER PERMIT NO. 553.

This right was perfected under Permit E-89. The dates of priority are MARCH 30, 1911 FOR BANK'S CREEK WATER AND JANUARY 12, 1911 FOR SMITH CANYON CREEK WATER. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.3 CUBIC FEET PER SECOND (CFS) FROM BANK'S CREEK AND 0.993 CFS FROM SMITH CANYON CREEK, or the equivalent in case of rotation.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION AND DOMESTIC BANK'S CREEK					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	5 W	WM	13	SW SW	31.75
25 S	5 W	WM	14	NE SW	33.00
25 S	5 W	WM	14	NW SW	36.00
25 S	5 W	WM	14	SW SW	6.70
25 S	5 W	WM	14	SE SW	27.00
25 S	5 W	WM	14	SW SE	31.70
25 S	5 W	WM	14	SE SE	40.00
25 S	5 W	WM	15	NE SE	17.00
25 S	5 W	WM	15	SE SE	20.60
Total					243.75

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or 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.


IRRIGATION AND DOMESTIC SMITH CANYON CREEK					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	5 W	WM	13	SW SW	8.25
25 S	5 W	WM	13	SE SW	40.00
25 S	5 W	WM	13	SW SE	39.20
25 S	5 W	WM	13	SE SE	11.70
25 S	5 W	WM	23	NE NE	40.00
25 S	5 W	WM	23	NW NE	19.60
25 S	5 W	WM	23	SW NE	6.70
25 S	5 W	WM	23	SE NE	39.00
25 S	5 W	WM	23	NE NW	1.40
25 S	5 W	WM	23	NW NW	1.00
25 S	5 W	WM	23	NE SE	8.13
25 S	5 W	WM	24	NE NE	40.00
25 S	5 W	WM	24	NW NE	35.70
25 S	5 W	WM	24	SW NE	2.30
25 S	5 W	WM	24	SE NE	22.90
25 S	5 W	WM	24	NE NW	30.00
25 S	5 W	WM	24	NW NW	39.40
25 S	5 W	WM	24	SW NW	3.90
25 S	5 W	WM	24	NW SW	0.70
Total					389.88

This certificate describes that portion of water right Certificate 973, State Record of Water Right Certificates, NOT cancelled by the provisions of an order of the Water Resources Director entered JUN 03 2019, approving Transfer Application T-10545.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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.

WITNESS the signature of the Water Resources Director, affixed JUN 03 2019



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department