

STATE OF OREGON

COUNTY OF LINCOLN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROY C. PETERSON
2748 NW PACIFIC PLACE
NEWPORT, OREGON 97365

confirms the right to use the waters of SILETZ RIVER, tributary of PACIFIC OCEAN, for DOMESTIC USE FOR ONE HOUSEHOLD INCLUDING IRRIGATION OF LAWN AND NON-COMMERCIAL GARDEN NOT TO EXCEED ONE-HALF ACRE FURTHER LIMITED TO HUMAN CONSUMPTION ONLY DURING THE PERIOD OF JULY 1 THROUGH OCTOBER 31 OF EACH YEAR.

This right was perfected under Permit 53545. The date of priority is MARCH 6, 1998. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.01 CUBIC FOOT PER SECOND(CFS); LIMITED TO 0.005 CFS DURING THE PERIOD OF JULY 1 THROUGH OCTOBER 31 OF EACH YEAR FOR HUMAN CONSUMPTION ONLY, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SE 1/4, SECTION 33, TOWNSHIP 9 SOUTH, RANGE 9 WEST, W.M.; NORTH 53 DEGREES 41 MINUTES EAST 767.4 FEET FROM THE SOUTH 1/4 CORNER OF SECTION 33.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

SW 1/4 SE 1/4
SECTION 33
TOWNSHIP 9 SOUTH, RANGE 9 WEST, W.M.

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 maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

Failure to comply with any of the provision of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water user must me in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The Director finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

WITNESS the signature of the Water Resources Director, affixed MAY 30, 2002.


Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79510.