

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEORGE W CLARNO JR
50706 SANDY CREEK RD
MYRTLE POINT OR 97458

confirms the right to the use of water perfected under the terms of Permit S-52618. 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-73079

SOURCE OF WATER: FETTER CREEK AND CLARNO CREEK, TRIBUTARIES OF MIDDLE FORK COQUILLE RIVER

PURPOSE or USE: IRRIGATION OF 1.0 ACRE, DOMESTIC USE EXPANDED FOR THREE HOUSEHOLDS

RATE OF USE: 0.0325 CUBIC FOOT PER SECOND (CFS), BEING 0.01 CFS FROM FETTER CREEK FOR DOMESTIC USE EXPANDED FOR TWO HOUSEHOLDS; FURTHER RESTRICTED TO 0.005 CFS FOR EACH HOUSEHOLD FOR HUMAN CONSUMPTION DURING THE PERIOD LISTED BELOW; 0.0225 CFS FROM CLARNO CREEK, BEING 0.0125 CFS FOR IRRIGATION OF 1.0 ACRE AND 0.01 CFS FOR DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD; FURTHER RESTRICTED TO 0.005 CFS FOR HUMAN CONSUMPTION DURING THE PERIOD LISTED BELOW

PERIOD OF USE: MARCH 1 THROUGH APRIL 30 FOR IRRIGATION OF 1.0 ACRE; DECEMBER 1 THROUGH APRIL 30 FOR DOMESTIC USE EXPANDED; FURTHER LIMITED FROM MAY 1 THROUGH NOVEMBER 30 TO HUMAN CONSUMPTION ONLY

DATE OF PRIORITY: DECEMBER 17, 1992 FOR DOMESTIC USE EXPANDED FOR TWO HOUSEHOLDS FROM FETTER CREEK AND IRRIGATION OF 1.0 ACRE FROM CLARNO CREEK; DECEMBER 4, 1995 FOR DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD FROM CLARNO CREEK

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	10 W	WM	28	SW SE	POD 1 - 690 FEET NORTH AND 484 FEET EAST FROM S1/4 CORNER, SECTION 28
29 S	10 W	WM	33	NW NW	POD 2 - 177 FEET SOUTH AND 1435 FEET WEST FROM N1/4 CORNER, SECTION 33

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 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-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	10 W	WM	33	NE NW	1.0

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 fishway as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of Fetter Creek without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the water user has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The water user is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, 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 10 2016.



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