

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID A. BUGNI
MARY A. BUGNI
30265 SE KOWALL RD
ESTACADA OR 97023

confirms the right to the use of water perfected under the terms of Permit S-51200. 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.

SOURCE OF WATER: SUTER CREEK, TRIBUTARY TO NORTH FORK EAGLE CREEK

PURPOSE OR USE: FISH REARING

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

DATE OF PRIORITY: JANUARY 30, 1991

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	5 E	WM	18	SE SW	315 FEET NORTH AND 185 FEET EAST FROM SE CORNER, SW1/4 SW1/4 , SECTION 18

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
3 S	5 E	WM	18	SW SW

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	5 E	WM	18	SE SW	290 FEET NORTH AND 150 FEET WEST FROM SE CORNER, SW1/4 SW1/4 , SECTION 18

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

The water user shall maintain and operate the fish screening device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

The water user shall maintain boulder placement as required by the Oregon Department of Fish and Wildlife to dissipate energy from the discharge of the hatchery waste water into Suter Creek to prevent bank erosion.

The water user shall maintain an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

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.

The 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.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered March 25, 2008, at Special Order Volume 74, Page 440, approving Transfer Application 10474, and supersedes Certificate 83500, State record of Water Right Certificates.

Issued **SEP 23 2016**



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