

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RUSSELL AND KRISTINE FOWLER
94200 HWY 101 S
YACHATS OR 97498-9729

confirms the right to the use of water perfected under the terms of Permit S-25460. 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(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: NANCY CREEK, A TRIBUTARY OF PACIFIC OCEAN

PURPOSE OR USE: DOMESTIC USE FOR ONE FAMILY

MAXIMUM RATE: 0.01 CUBIC FOOT PER SECOND

DATE OF PRIORITY: APRIL 25, 1958

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
16 S	12 W	WM	10	SW NE		POD A - 1969 FEET SOUTH AND 640 FEET EAST FROM N1/4 CORNER, SECTION 10
16 S	12 W	WM	10	SW NE		POD B - 2004 FEET SOUTH AND 502 FEET EAST FROM N1/4 CORNER, SECTION 10
16 S	12 W	WM	10	SE NW	2	POD C - 1845 FEET SOUTH AND 357 FEET WEST FROM N1/4 CORNER, SECTION 10

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
16 S	12 W	WM	10	NE NW	1	

The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.

When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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.

Within one year after receiving written notification from the Oregon Department of Fish and Wildlife (ODFW) that a fish screening and/or by-pass device is required, the water user shall install a screening and/or by-pass device, as appropriate, at the new point of diversion. The fish screening and/or by-pass device must meet ODFW's design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria. Once installed the water user shall maintain and operate the fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The quantity of water diverted at the additional points of diversion, together with that diverted at the original point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion described as:

Twsp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
16 S	12 W	WM	10	SW NE		1920 FEET SOUTH AND 480 FEET EAST FROM N1/4 CORNER, SECTION 10

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 additional points of diversion approved by an order of the Water Resources Director entered SEPTEMBER 17, 2009, at Special Order Volume 78, Page 922, approving Transfer Application 10721 supersedes Certificate 29869, State record of Water Right Certificates.

Issued SEP 20 2016



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