

STATE OF OREGON
COUNTY OF TILLAMOOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PATRICK ZWEIFEL
9455 KILCHIS RIVER RD
TILLAMOOK OR 97141

confirms the right to store water perfected under the terms of Permit R-14445. 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: R-86709

SOURCE OF WATER: KILCHIS RIVER, TRIBUTARY TO TILLAMOOK BAY

STORAGE FACILITY: KILCHIS RESERVOIR

MAXIMUM VOLUME: 8.96 ACRE-FEET

DATE OF PRIORITY: OCTOBER 25, 2006

USE	WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD:
Irrigation	December 1 – April 30 (to be appropriated under Application S-86710)
Agriculture use	

Reservoir Location/Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	9 W	WM	32	SE SW	RESERVOIR DAM - 970 FEET NORTH AND 1590 FEET EAST FROM SW CORNER, SECTION 32
1 N	9 W	WM	32	SW SW	RIVER POD - 600 FEET NORTH AND 1100 FEET EAST FROM SW CORNER, SECTION 32

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
1 N	9 W	WM	32	SE SW

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.

Measurement, recording, and reporting conditions:

- A. The water user shall maintain a totalizing flow meter at each point of diversion in good working order. The water user shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter; where the meter is located within a private structure, the watermaster shall request access upon reasonable notice.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

The water user shall pass all live flow outside the storage season described above.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream 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.

This right does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, or any live flow is appropriated to maintain either the water level or a suitable freshwater condition, a secondary water right is required.

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.

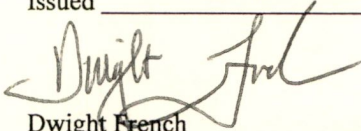
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

This right does not authorize the water user to pursue this right in such a way as to interfere with or affect adjacent property not under the ownership of the water right holder.

The right to store water for the above purpose is restricted to beneficial use at the place of use described.

Issued SEP 24 2021



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