

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RUSSELL FOWLER
KRISTINE FOWLER
94200 HIGHWAY 101 SOUTH
YACHATS OR 97498

confirms the right to the use of water perfected under the terms of Permit S-53959. 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-85351

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

PURPOSE OR USE: DOMESTIC USE EXPANDED FOR TWO HOUSEHOLDS

MAXIMUM RATE: 0.02 CUBIC FOOT PER SECOND (CFS), BEING 0.01 CFS FOR EACH HOUSEHOLD

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 21, 2002

POINT OF DIVERSION LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
16 S	12 W	WM	10	SW NE		POD A - 1940 FEET SOUTH AND 530 FEET EAST FROM N 1/4 CORNER, SECTION 10
16 S	12 W	WM	10	SE NW	2	POD B - 1810 FEET SOUTH AND 430 FEET WEST FROM N 1/4 CORNER, SECTION 10

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	GLot
16 S	12 W	WM	10	SE NW	2

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 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 install and maintain a headgate or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the watermaster prior to beginning construction and shall be installed under the general supervision of the watermaster.

When required by the department, the water user shall install and maintain a headgate, an in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	12 W	WM	10	SW NE	POD A – 600 FEET SOUTH AND 150 FEET EAST FROM THE CENTER N1/16 CORNER, SECTION 10
16 S	12 W	WM	10	SE NW	POD B – 580 FEET SOUTH AND 525 FEET WEST FROM THE CENTER N1/16 CORNER, SECTION 10

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.

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.

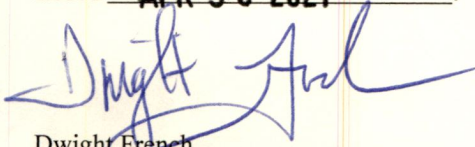
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 APR 30 2021.



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

