

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WHALESHEAD BEACH RESORT; R V PARK
ANDREW CRAMER
19921 WHALESHEAD RD
BROOKINGS OR 97415

confirms the right to the use of water perfected under the terms of Permit S-53701. 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-84230

SOURCE OF WATER: 2 UNNAMED SPRINGS, TRIBUTARY OF WHALESHEAD CREEK

PURPOSE or USE: COMMERCIAL USE IN AN RV PARK

MAXIMUM RATE ALLOWED: 0.024 CUBIC FOOT PER SECOND (CFS), BEING 0.002 CFS FROM UNNAMED SPRING 1, AND 0.022 CFS FROM UNNAMED SPRING 2

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 9, 1999

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	14 W	WM	3	NW NW	SPRING 2 – 1312 FEET SOUTH AND 519 FEET WEST FROM SW1/16 CORNER, SECTION 34
39 S	14 W	WM	34	SE SW	SPRING 1 – 484 FEET SOUTH AND 338 FEET EAST FROM SW1/16 CORNER, SECTION 34

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
40 S	14 W	WM	3	NE NW
40 S	14 W	WM	3	NW NW
40 S	14 W	WM	3	SE NW

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 the totalizing flow meter in the pipe between the lowest spring and the holding tank. This pipe is the confluence of all two springs. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645. 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 or measuring device; provided however, where a meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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. 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.

The water user may be required in the future to install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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.

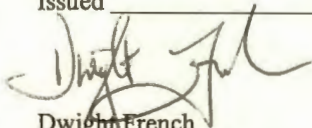
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

MAR 31 2023

Issued _____



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department