

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TOM MILLER
CHARLOTTE MILLER
5265 UPPER OLALLA RD
WINSTON OR 97496

confirms the right to the use of water perfected under the terms of Permit S-55246. 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-88744

SOURCE OF WATER: BEN IRVING RESERVOIR, CONSTRUCTED UNDER PERMIT R-8444, TRIBUTARY TO BERRY CREEK

PURPOSE or USE: DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD

MAXIMUM VOLUME: 2.0 ACRE-FEET (OR AS FURTHER LIMITED BY CONTRACT)

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: SEPTEMBER 23, 2019

POINT OF RE-DIVERSION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
29 S	7 W	WM	8	NE SW	660 FEET SOUTH AND 340 FEET WEST FROM C1/4 CORNER, SECTION 8

PLACE OF USE:

Twp	Rng	Mer	Sec	Q-Q
29 S	7 W	WM	8	NE SW

Water Use Measurement, Recording, and Reporting Condition:

- A. The water user shall maintain, in good working order, a totalizing flow at each point of re-diversion.
- B. The water user shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.

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.

- C. 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.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

The water user shall maintain and operate fish screening and fish passage devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the diversion while passage devices provide adequate upstream and downstream passage for fish.

The use of water under this right is subject to the terms and conditions of contract No. 393, or a satisfactory replacement, between Lookingglass Olalla Water Control District and the water user, a copy of which must be on file in the records of the Water Resources Department.

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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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 OCT 18 2024



Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department