

STATE OF OREGON

COUNTY OF LINCOLN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BRUCE A AND CHERYL A BUCKLEY  
PO BOX 535  
WALDPORT, OREGON 97394

(541) 563-3211

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-74026

SOURCE OF WATER: A SPRING OF AN UNNAMED STREAM, TRIBUTARY OF THE ALSEA RIVER

PURPOSE OR USE: DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD INCLUDING IRRIGATION OF LAWN AND GARDEN NOT TO EXCEED ONE-HALF ACRE IN AREA

RATE OF USE: 0.01 CUBIC FOOT PER SECOND (CFS) FOR DOMESTIC USE INCLUDING IRRIGATION OF LAWN OR GARDEN NOT TO EXCEED ONE-HALF ACRE IN AREA; 0.005 CFS FOR HUMAN CONSUMPTION

PERIOD OF ALLOWED USE: DOMESTIC INCLUDING IRRIGATION OF LAWN AND NON-COMMERCIAL GARDEN NOT TO EXCEED ONE-HALF ACRE AREA - NOVEMBER 1 THROUGH SEPTEMBER 30; USE LIMITED TO HUMAN CONSUMPTION - OCTOBER 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 22, 1994

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 26, T13S, R11W, W.M.; 400 FEET SOUTH AND 570 FEET EAST FROM THE W 1/4 CORNER OF SECTION 26

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4  
SECTION 26  
TOWNSHIP 13 SOUTH, RANGE 11 WEST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee 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 permittee shall maintain the meter or

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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 permittee to submit alternative measuring procedures for review and approval.

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The permittee shall 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 proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

#### STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit 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.

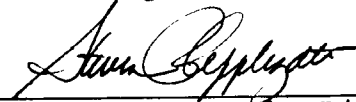
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued April 26, 1996

  
for Martha O. Pagel, Director  
Water Resources Department