

- 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 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 proposed diversion.

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.

STATE OF OREGON

COUNTY OF LINCOLN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOHN KENNETH SMITH AND PEGGY DIANE SMITH
5139 SILETZ HWY
LINCOLN CITY, OREGON 97367

(541) 994-7021

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

APPLICATION FILE NUMBER: S-80565

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF BARHAVEN CREEK

PURPOSE OR USE: DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD

MAXIMUM RATE/VOLUME ALLOWED: 0.01 CUBIC FOOT PER SECOND FOR DOMESTIC USE EXPANDED AND FURTHER LIMITED TO 0.005 CFS FOR HUMAN CONSUMPTION ONLY DURING THE PERIOD LISTED BELOW

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR DOMESTIC USE EXPANDED FROM NOVEMBER 1 THROUGH JULY 31 AND FURTHER LIMITED TO HUMAN CONSUMPTION ONLY FROM AUGUST 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 10, 1995

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SECTION 16, T8S, R10W, W.M.; 63 FEET NORTH & 96 FEET WEST OF THE CN 1/16 OF SECTION 16

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NW 1/4
SECTION 16
TOWNSHIP 8 SOUTH, RANGE 10 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 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.

Application S-80565 Water Resources Department

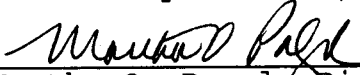
"CERTIFICATE NO.

75908

PERMIT 52729

This permit is issued to correctly describe the screening requirements as well as the period of allowed use. Permit 52570, dated August 14, 1996 is superseded by this instrument and is of no further force or effect.

Issued September 11, 1996


Martha O. Pagel, Director
Water Resources Department