

STATE OF OREGON

COUNTY OF LINCOLN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

YACHATS VALLEY LANDOWNERS ASSOCIATION
JIM ADLER
PO BOX 28
YACHATS, OREGON 97498

(541) 547-3858

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-84251

SOURCE OF WATER: DAWSON CREEK, 5 SPRINGS, AND 3 UNNAMED CREEKS
TRIBUTARIES TO YACHATS RIVER

PURPOSE OR USE: HUMAN CONSUMPTION USE FOR 11 HOUSEHOLDS

MAXIMUM RATE ALLOWED: 0.055 CUBIC FOOT PER SECOND, BEING 0.005 CFS ONLY
FOR EACH HOUSEHOLD

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 26, 1999

POINT OF DIVERSION LOCATION: SW 1/4 NE 1/4, SECTION 31, NE 1/4 SW 1/4,
SECTION 32, SE 1/4 SE 1/4, SECTION 36, T14S, R11W, W.M., SW 1/4 SW 1/4,
SE 1/4 SW 1/4, SW 1/4 SE 1/4, SECTION 1, LOT 3, SECTION 4, NE 1/4 NE
1/4, SECTION 11, T15S, R11W, W.M.; POD 12 (MAP A) - 100 FEET NORTH & 175
FEET EAST FROM THE CENTER OF SECTION 31; POD 16 & 21 (MAP B) - 1825 FEET
NORTH AND 1525 EAST FROM THE SW CORNER SECTION 32; POD 11 (MAP E) - 75
FEET NORTH AND 200 FEET WEST FROM THE SE CORNER SECTION 36, T14S, R11W,
W.M.; POD 13 (MAP E) - 212 FEET NORTH AND 1125 FEET EAST; POD 8 (MAP E) -
200 FEET NORTH AND 1450 FEET EAST; POD 10 (MAP E) - 325 FEET NORTH AND
3125 FEET EAST, ALL FROM THE SW CORNER SECTION 1; POD 22 & 23 (MAP C) -
812 FEET SOUTH AND 2187 FEET WEST FROM THE NW CORNER SECTION 4; POD 2
(MAP D) - 475 FEET SOUTH AND 250 FEET WEST; POD 20 (MAP D) - 950 FEET
SOUTH AND 2225 FEET WEST, BOTH FROM THE NE CORNER SECTION 11; T15S,
R11W, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	NW 1/4 SE 1/4	Adler	(Map A)
	SECTION 31		
	NE 1/4 SW 1/4	Jackson	(Map B)
	SE 1/4 SW 1/4	Fogg	(Map B)
	SECTION 32		
TOWNSHIP 14 SOUTH, RANGE 11 WEST, W.M.			
(LOT 1)	SE 1/4 NE 1/4	Rose/Garner	(Map E)
	SW 1/4 SW 1/4	Henderson	(Map E)
	SE 1/4 SW 1/4	Goughenour/Wiebe	(Map E)
	SECTION 1		
(LOT 3)	SE 1/4 NW 1/4	Petrick	(Map C)
	SECTION 4		
	NE 1/4 NE 1/4	Carrasco	(Map D)
	NW 1/4 NE 1/4	Doyle/Pettit	(Map D)
	SECTION 11		
TOWNSHIP 15 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 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.

Low flow shower heads, bathroom and kitchen faucets, and toilets shall be installed in the house prior to use of water, and shall be maintained in good working order.

The diversion pipes shall not be enlarged to allow a diversion of more water than is permitted at each individual diversion.

The dam structures shall be removed from the diversion described by this permit as being 1825 feet north and 1525 feet east of the southwest corner Section 32, Township 14 South, Range 11 west.

The riparian cover (native vegetation) shall be maintained on the mainstem and all tributaries of the Yachats River for properties involved with this permit.

Landowners with property used now or in the future for livestock grazing will erect and maintain fences that will prevent livestock access to all watercourses of properties involved with this permit.

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.

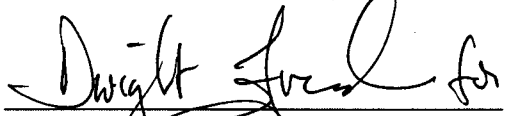
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including

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 by November 9, 2001. Complete application of the water to the use shall be made on or before October 1, 2004. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued November 9, 2000


Paul R. Cleary, Director
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.