

STATE OF OREGON

COUNTY OF LANE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GEORGE NELSON  
HEATHER NELSON  
PO BOX 175  
WESTLAKE, OR 97493

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

APPLICATION FILE NUMBER: S-88267

SOURCE OF WATER: SILTCOOS LAKE, A TRIBUTARY OF SILTCOOS RIVER

PURPOSE OR USE: DOMESTIC USE FOR THREE HOUSEHOLDS

MAXIMUM RATE: 0.015 CUBIC FOOT PER SECOND, BEING 0.005 CUBIC FOOT PER SECOND PER HOUSEHOLD

PERIOD OF USE: YEAR-ROUND

DATE OF PRIORITY: JULY 25, 2016

POINTS OF DIVERSION LOCATION:

POD #1: SE ¼ NE ¼ SECTION 27, T19S, R12W, W.M.; 51 FEET SOUTH AND 636 FEET WEST FROM WITNESS CORNER MEANDER CORNER TO SECTION 27 AND SECTION 26

POD #2: SE ¼ NE ¼ SECTION 27, T19S, R12W, W.M.; 67 FEET SOUTH AND 499 FEET WEST FROM WITNESS CORNER MEANDER CORNER TO SECTION 27 AND SECTION 26

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE ¼ NE ¼  
SECTION 27  
TOWNSHIP 19 SOUTH, RANGE 12 WEST, W.M.

Measurement Devices, and Recording/Reporting of Annual Water Use Conditions

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion. The permittee shall maintain the device in good working order.
- B. The permittee 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.
- C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current ODFW standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

**STANDARD CONDITIONS**

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.

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.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

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.

Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.

Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued *Oct 16 2017*



Dwight French, Water Right Services Division Administrator  
for Thomas M. Byler, Director