

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RUDOLF FEIMER
CAROLYN A. FEIMER
99731 S BANK CHETCO RIVER RD
BROOKINGS OR 97415

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

APPLICATION FILE NUMBER: S-88363

SOURCE OF WATER: CHETCO RIVER A TRIBUTARY OF PACIFIC OCEAN AND AN
UNNAMED STREAM, TRIBUTARY OF CHETCO RIVER

PURPOSE OR USE OF THE WATER: HUMAN CONSUMPTION (COOKING, DRINKING, AND
SANITATION)

MAXIMUM RATE: 0.005 CUBIC FOOT PER SECOND, FURTHER LIMITED TO 500 GALLONS
PER DAY

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: JANUARY 31, 2017

POINT OF DIVERSION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	13 W	WM	36	NW NW	600 FEET SOUTH AND 1360 FEET WEST FROM N1/4 CORNER, SECTION 36
40 S	13 W	WM	36	NE NW	918 FEET SOUTH AND 1180 FEET WEST FROM N1/4 CORNER, SECTION 36

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q
40 S	13 W	WM	36	NE NW

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 or other suitable measuring device as approved by the Director 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 Oregon Department of Fish and Wildlife (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 prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

The permittee shall not construct, operate, or maintain any dam or artificial obstruction to fish passage.

Before water use may begin under this permit, the permittee shall install an in-line flow restrictor at each point of diversion that limits the use to no more than the permitted rate. The permittee shall maintain the device in good working order.

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.

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.

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.

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.

Issued

July 18, 2008


Dwight French

Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

