

STATE OF OREGON

COUNTY OF TILLAMOOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TIERRA DEL MAR WATER CO.
C/O OWEN MILLER
7709 NW SKYLINE BLVD
PORTLAND, OR 97229-1234

This superseding permit is issued to describe an amendment for a change in place of use proposed under Permit Amendment Application T-12641 and approved by Special Order Vol. 109, Page 500 entered September 26, 2018, and to describe an extension of time for complete application of water approved January 9, 2001, and an assignment approved on November 4, 1982. This permit supersedes Permit S-44592.

The specific limits and conditions of the use are listed below, subject to existing water rights including the existing flow policies established by the water policy review board.

APPLICATION FILE NUMBER: S-59355

SOURCE OF WATER: BELTZ CREEK AND AN UNNAMED STREAM, A TRIBUTARY OF SAND LAKE

PURPOSE OR USE: DOMESTIC USE FOR 600 FAMILIES INCLUDING NOT TO EXCEED 1/2 ACRE LAWN AND NON-COMMERCIAL GARDEN IRRIGATION FOR EACH

MAXIMUM RATE: 0.6 CUBIC FOOT PER SECOND

DATE OF PRIORITY: SEPTEMBER 21, 1979

POINTS OF DIVERSION ARE LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
4 S	10 W	WM	6	NW NE	2	BELTZ CREEK - 1260 FEET SOUTH AND 3540 FEET EAST FROM THE NW CORNER OF SECTION 6
4 S	10 W	WM	6	NW NE	2	UNNAMED STREAM - 1290 FEET SOUTH AND 3440 FEET EAST FROM THE NW CORNER OF SECTION 6

THE PLACE OF USE IS LOCATED AS FOLLOWS:

DOMESTIC USE FOR 600 FAMILIES INCLUDING NOT TO EXCEED 1/2 ACRE LAWN AND NON-COMMERCIAL GARDEN IRRIGATION FOR EACH					
Twp	Rng	Mer	Sec	Q-Q	GLot
3 S	10 W	WM	29	SW SW	
3 S	10 W	WM	31	NE NE	
3 S	10 W	WM	31	NW NE	
3 S	10 W	WM	31	SW NE	
3 S	10 W	WM	31	SE NE	
3 S	10 W	WM	31	NE SW	
3 S	10 W	WM	31	SE SW	4
3 S	10 W	WM	31	NE SE	
3 S	10 W	WM	31	NW SE	
3 S	10 W	WM	31	SW SE	
3 S	10 W	WM	31	SE SE	
3 S	10 W	WM	32	NW NW	
4 S	10 W	WM	6	NE NW	3
4 S	10 W	WM	6	NW NW	4
4 S	10 W	WM	6	SW NW	5
4 S	10 W	WM	6	SE NW	
4 S	10 W	WM	6	NE SW	
4 S	10 W	WM	6	NW SW	6
4 S	10 W	WM	6	SW SW	7
4 S	11 W	WM	1	SE NE	2
4 S	11 W	WM	1	NE SE	3
4 S	11 W	WM	1	SE SE	4

Permit Amendment T-12641 Conditions:

Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Extension of Time Conditions:

The permittee must submit a written progress report to the Department by October 1, of the years 2002, 2007, 2012, and 2017. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

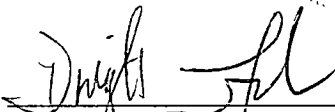
- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or 537.410 to 537.450. Within one year after cancellation, the permittee must submit a final proof survey pursuant to ORS 537.230 and 537.250.

The original permit was issued September 21, 1979. Complete application of the water to the use was to be made on or before October 1, 1982. By Extension of Time Final Order dated January 9, 2001, the deadline for complete application of water to use was extended to October 1, 2020. 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 SEP 26 2018



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