

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

COOS BAY NORTH BEND WATER BOARD  
 PO BOX 539 2305 OCEAN BLVD  
 COOS BAY OR 97420

confirms the right to store water perfected under the terms of Permit R-10888. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-68794

SOURCE: PONY CREEK

STORAGE FACILITY: PONY CREEK RESERVOIR (MERRITT LAKE)

PURPOSE or USE: MUNICIPAL USES

MAXIMUM STORAGE VOLUME: 383.0 ACRE FEET (AF) ANNUALLY DURING THE NONIRRIGATION SEASON OR WHEN EXCESS WATER IS OTHERWISE AVAILABLE.

DATE OF PRIORITY: JULY 21, 1986, FOR STORAGE OF 340.0 AF AND DECEMBER 29, 1987, FOR 43.0 AF

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
25 S	13 W	WM	28	NE NE			

The area submerged by this reservoir is as follows:

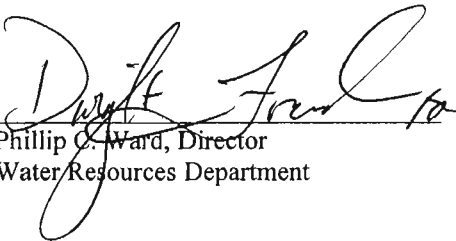
AREA SUBMERGED							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	13 W	WM	28	NE NE			
25 S	13 W	WM	28	NW NE			
25 S	13 W	WM	28	SW NE			
25 S	13 W	WM	28	SE NE			
25 S	13 W	WM	28	NE SW			
25 S	13 W	WM	28	NW SW			
25 S	13 W	WM	28	SW SW			
25 S	13 W	WM	28	SE SW			
25 S	13 W	WM	28	NW SE			

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

1. The structure shall be constructed, operated and maintained in accordance with the approved plans and specifications and with the design intent.
2. The outlet gate shall be cycled at least once each year in order to assure smooth operation.
3. The embankment and spillway channel shall be kept clear of trees and brush.
4. The embankment shall be kept free of burrowing animals.
5. 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.

WITNESS the signature of the Water Resources Director, affixed SEP 21 2007.

  
Phillip C. Ward, Director  
Water Resources Department