

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SHANIKO RANCH
PO BOX 6712
PORTLAND OREGON 97228

confirms the right to store water perfected under the terms of Permit R-11411. 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-71751

SOURCE: BIG PINE HOLLOW, a tributary of the JOHN DAY RIVER

STORAGE FACILITY: UNNAMED RESERVOIR

PURPOSE or USE: RECREATION

MAXIMUM STORAGE VOLUME: 31.0 ACRE FEET

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: DECEMBER 1 TO MARCH 15 EACH YEAR ONLY

DATE OF PRIORITY: JULY 10, 1991

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot
6 S	17 E	WM	31	SW SE	
7 S	17 E	WM	6	NW NE	2

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

The water user shall operate and maintain all fish screening devices as required by the Oregon Department of Fish and Wildlife to prevent fish from escaping from this reservoir and entering Big Pine Hollow.

If the water user drains the reservoir, the water user shall drain the reservoir so that sediments are not carried downstream into Big Pine Hollow.

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.

If sediment removal from the reservoir is necessary, sediments shall be removed mechanically and all sediments removed shall be carefully transported away from the stream so that no sediments are allowed to reenter Big Pine Hollow.

The outlet gate shall be cycled at least once each year and shall be fully operational.

The embankment and spillway shall be kept clear of brush, debris, and burrowing animals.

The dam shall be operated and maintained according to approved plans and specifications on file with the Water Resources Department.

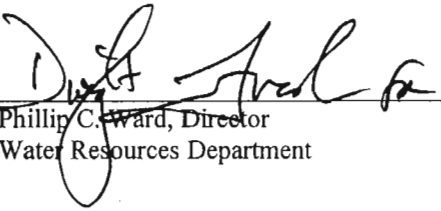
Failure to comply with any of the provisions of this right may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the right.

This right 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 plans.

The storage 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.

Issued JUN 13 2008 .


Phillip C. Ward, Director
Water Resources Department