

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN GRAHAM
4515 COOPER HOLLOW RD
DALLAS OR 97338

confirms the right to store water perfected under the terms of Permit R-11263. 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-70670

SOURCE: AN UNNAMED INTERMITTENT STREAM, A TRIBUTARY OF FERN CREEK

STORAGE FACILITY: UNNAMED RESERVOIR

PURPOSE or USE: WILDLIFE HABITAT

MAXIMUM STORAGE VOLUME: 2.0 ACRE FEET

DATE OF PRIORITY: SEPTEMBER 19, 1990

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
8 S	5 W	WM	20	NE NW		

The area submerged by this reservoir is as follows:

WILDLIFE						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
8 S	5 W	WM	20	NE NW		

Use under this right is limited to the reservoir area. This right does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior to downstream rights.

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.

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.

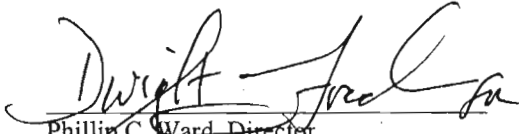
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

When in the judgment of the Watermaster it becomes necessary to regulate waters of the stream system, storage of water in the reservoir shall be subject to the installation of suitable devices for measuring all incoming natural flows and outflows from the reservoir or passing all incoming natural flows. The types and plans for such devices shall be approved by the Watermaster and shall be installed under the general supervision of said Watermaster.

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 APR 23 2008



Phillip C. Ward, Director
Water Resources Department