

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF CARLTON
191 E MAIN STREET
CARLTON OR 97111

confirms the right to store the waters of PANTHER CREEK, a tributary of NORTH YAMHILL RIVER, in PANTHER CREEK RESERVOIR for enlargement and storage of additional water, appropriated under Permit 50218, for MUNICIPAL USE.

The right to store these waters was perfected under Permit R-10900. The date of priority is NOVEMBER 30, 1987. The amount of water entitled to be stored each year under this right is not more than 9.0 acre-feet annually.

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	5 W	WM	18	SW SE	2330 FEET SOUTH & 40 FEET EAST FROM C1/4 CORNER, SECTION 18

The reservoir is located as follows:

Twp	Rng	Mer	Sec	Q-Q
3 S	5 W	WM	18	SE SW
3 S	5 W	WM	18	SW SE

CONDITIONS OF USE

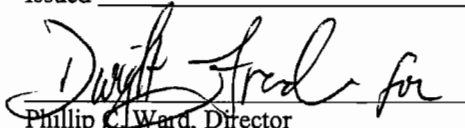
1. The structure shall be operated and maintained in accordance with the approved as-built plans on file with the Department.
2. The outlet gate shall be cycled at least once each year in order to assure smooth operation.
3. The embankment and spillway channel shall be kept clear of trees and brush.
4. The embankment shall be kept free of burrowing animals.
5. The flashboards shall not be installed prior to April 1 and shall be removed by October 1 of each year.
6. Water may be appropriated for storage during the non-irrigation season period of October 1 through March 31 or when excess water is otherwise available.
7. This right is for the beneficial use of water.
8. 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.

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.

9. This right does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

Issued **AUG 21 2009**


Phillip C. Ward, Director
Water Resources Department