

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ERIC LEMELSON
12020 NE STAG HOLLOW RD
CARLTON OR 97111

confirms the right to store water perfected under the terms of Permit R-13660. 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-85255

SOURCE: AN UNNAMED STREAM, A TRIBUTARY OF STAG HOLLOW CREEK

STORAGE FACILITY: BRISCOE RESERVOIR (ENLARGEMENT OF RESERVOIR APPROPRIATED UNDER APPLICATION R-69803, CERTIFICATE 68160)

PURPOSE or USE: STORAGE FOR IRRIGATION, APPROPRIATED UNDER PERMIT S-53943

MAXIMUM STORAGE VOLUME: 8.6 ACRE FEET

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30

DATE OF PRIORITY: JULY 30, 2002

DAM LOCATION AND POINT OF DIVERSION LOCATION ARE:

| Twp | Rng | Mer | Sec | Q-Q | GLot | Measured Distances |
|-----|-----|-----|-----|-------|------|---|
| 3 S | 4 W | WM | 12 | SW SW | 3 | 675 FEET NORTH AND 260 FEET EAST FROM SW CORNER, SECTION 12 |

The area submerged by this reservoir is as follows:

| Twp | Rng | Mer | Sec | Q-Q | GLot |
|-----|-----|-----|-----|-------|------|
| 3 S | 4 W | WM | 12 | SW SW | 3 |

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.

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.

- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The water user shall maintain and operate fish screening to prevent fish from entering the diversion.

Water use shall be limited and restricted if withdrawal significantly reduces flow and water quality of Stag Hollow Creek.

Routine maintenance or repair of the dam, its spillway and all appurtenant structures shall be performed to include, but not limited to, the removal of woody vegetation or debris, prompt restoration of areas of erosion or to repair defective equipment necessary for its safe operation.

Except for routine repair and maintenance, design plans and specifications must be approved by the Water Resources Dam Safety program prior to enlargement, modification, or alteration of the dam, its spillway or any appurtenant structures.

The water user shall pass all live flow outside the storage season described above.

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 freshwater condition.

The storage of water allowed herein is subject to the installation and maintenance of a fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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 plan.

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.

Issued OCT 7 2011



Dwight W. French
Water Right Services Division Administrator, for
Phillip C. Ward, Director
Water Resources Department