

STATE OF OREGON  
COUNTY OF JOSEPHINE  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LITTLE ELM RANCH CORP.  
13455 NOEL RD 1670  
DALLAS TX 75240

confirms the right to store water perfected under the terms of Permit R-14435. 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-86736

SOURCE: RUNOFF, TRIBUTARY TO EAST FORK ILLINOIS RIVER

STORAGE FACILITY: SOUTH POND

PURPOSE or USE: MULTIPLE PURPOSE

MAXIMUM STORAGE VOLUME: 9.1 ACRE FEET

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: DECEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: DECEMBER 26, 2006

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	8 W	WM	34	SE NW	1660 FEET SOUTH AND 710 FEET WEST FROM N1/4 CORNER, SECTION 34

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
39 S	8 W	WM	34	SE NW

**CONDITIONS OF USE**

Measurement, recording and reporting:

- A. The water user shall maintain the staff gage or other devices in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water-use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the

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

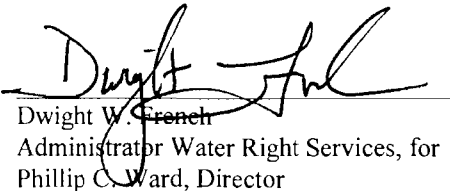
This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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 within three months after issuance of the certificate.

permit. A written waiver may be obtained from the local Watermaster if in his judgement the installation of the weir(s) will provide no public benefit.

- B. The water user shall allow the watermaster access to the meter or measuring device; where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
1. The storage of water allowed herein is subject to the maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Director to satisfy prior downstream rights.
  2. The water user shall pass all live flow outside the storage season described above.
  3. The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the water user has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The water user is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.
  4. This right does not provide for the appropriation of water for any out-of-reservoir uses, the maintenance of the water level, or maintaining a suitable freshwater condition. If any water is used for out-of-reservoir uses, or any live flow is appropriated to maintain either the water level or a suitable freshwater condition, a secondary water right is required.
  5. 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.
  6. 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.
  7. 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.
  8. 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.
  9. This right does not authorize the water user to interfere with or affect adjacent property not under the ownership of the water user.

DEC 20 2013

Issued \_\_\_\_\_

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