

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BALDOCK SLOUGH LLC
2790 MAIN STEET
BAKER CITY OR 97814

confirms the right to store water perfected under the terms of Permit R-13081. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-84545

SOURCE: RUNOFF FROM PERKINS EAST 2 DITCH, A TRIBUTARY OF THE POWDER RIVER

STORAGE FACILITY: RESERVOIR C

PURPOSE or USE OF THE STORED WATER: WETLAND ENHANCEMENT AND WILDLIFE MANAGEMENT

MAXIMUM STORAGE VOLUME: 14.8 ACRE FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: OCTOBER 1 THROUGH APRIL 14 OF EACH YEAR

DATE OF PRIORITY: SEPTEMBER 18, 2000

DAM (WEIR) LOCATION: SW 1/4 NW 1/4 OF SECTION 10, T8S, R40E, W.M. 2,095 FEET SOUTH AND 470 FEET EAST OF THE NW CORNER, SECTION 10.

The area submerged by the reservoir is located as follows:

WETLAND ENHANCEMENT AND WILDLIFE MANAGEMENT				
Twp	Rng	Mer	Sec	Q-Q
8 S	40 E	WM	9	SE NE
8 S	40 E	WM	9	NE SE
8 S	40 E	WM	10	SW NW
8 S	40 E	WM	10	NW SW

Measurement, recording and reporting conditions:

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

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.

- 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 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 Water Resources Director to satisfy prior downstream rights.

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

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Notwithstanding that Oregon Department of Fish and Wildlife has made a determination that fish screens and/or a fishway is not necessary at this time, the water user may be required in the future to install, maintain, and operate fish screening and/or a fishway to prevent fish from entering the diversion, and to provide adequate upstream and downstream passage for fish.

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.

This right does not authorize the water user to pursue this right in such a way as to interfere with or affect adjacent property not under the ownership of the water user.

SEP 26 2014

Issued _____



Dwight French
Water Right Services Administrator, *for*
Director
Oregon Water Resources Department