

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RANDY MARSHALL  
56117 MULLER RD  
WAMIC, OR 97063

confirms the right to use the waters of SEASONAL RUN-OFF, NATURAL DRAINAGE, SEEPAGE AND WASTE WATER, TRIBUTARIES OF WHITE RIVER WITHIN THE DESCHUTES BASIN STORED WITHIN MARSHALL RESERVOIR for RECREATION, LIVESTOCK, FISH HABITAT, WILDLIFE, AND AESTHETICS; AND TO BE APPROPRIATED UNDER APPLICATION S-79609, PERMIT S-52541 FOR IRRIGATION.

This right was perfected under Permit R-11897. The date of priority is FEBRUARY 24, 1995. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 13.0 ACRE FEET EACH YEAR or its equivalent in case of rotation, measured at the point of diversion.

The period of allowed use is WATER MAY BE APPROPRIATED FOR STORAGE FROM OCTOBER 1 THROUGH APRIL 14 OF EACH YEAR.

The dam location is as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	12 E	WM	23	NE NE	235 FEET SOUTH & 1458 FEET EAST FROM N1/4 CORNER, SECTION 23

The area to be submerged by the reservoir is located as follows:

Twp	Rng	Mer	Sec	Q-Q
4 S	12 E	WM	23	NE NE
4 S	12 E	WM	23	NW NE

**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.

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.
- 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 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 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.

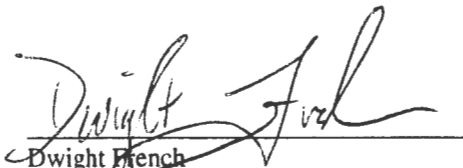
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department