

STATE OF OREGON

COUNTY OF BENTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DON L. AND ALBERTA R. STEWART  
24634 RITCHIE LN  
PHILOMATH, OR 97370

confirms the right to store water perfected under the terms of Permit R-12205. 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-75281

SOURCE: TWO UNNAMED SPRINGS AND SHEET RUNOFF (UNNAMED INTERMITTENT STREAM),  
TRIBUTARIES OF BULL RUN CREEK

STORAGE FACILITY: FOUR UNNAMED RESERVOIRS

PURPOSE or USE: WILDLIFE, RECREATION, AND TO BE APPROPRIATED UNDER APPLICATION S-75282,  
PERMIT S-53217 FOR IRRIGATION

MAXIMUM STORAGE VOLUME: 21.1 ACRE-FEET (AF) PER YEAR, BEING 2.5 AF IN RESERVOIR 1, 16.6 AF IN  
RESERVOIR 2, 0.6 AF IN RESERVOIR 3, 1.4 AF IN RESERVOIR 4

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

DATE OF PRIORITY: DECEMBER 8, 1994

DAM LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	DLC
12 S	6 W	WM	34	SE SE	65
12 S	6 W	WM	35	SW SW	65

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
12 S	6 W	WM	34	SE SE	65
12 S	6 W	WM	35	SW SW	65

**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 other suitable 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.

If it is determined at some later date that an outlet conduit is necessary for water distribution needs or public safety, a gated conduit shall be installed using appropriate safeguards and construction techniques, or the structure may be breached or reconstructed.

Routine maintenance of the dam, spillway and appurtenant structures shall be performed as necessary to remove trees, brush and debris, and to repair slumps, areas of erosion, or defective equipment.

The earthen dam and resultant reservoir shall be maintained according to the approved asbuilt drawings on file with Oregon Water Resources Dam Safety program.

The existing structure shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director of the Water Resources Department or the Director's authorized representative. Except for routine repair and maintenance, plans and specifications prepared by an Oregon licensed engineer are required for any modification to the dam, spillway or appurtenant structures.

The use may be restricted if the quality of the source stream, namely the Willamette River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

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

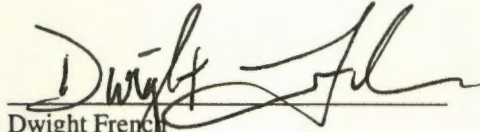
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 storage 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 place of use described.

Issued FEB 06 2015.



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

