

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CRAIG WOODWARD  
BIG SUMMIT PRAIRIE INC.  
PO BOX 206  
PRINEVILLE OR 97754

confirms the right to store water perfected under the terms of Permit R-11374. 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-70455

SOURCE: SHADY CREEK WITH ANY DEFICIENCY IN THE SUPPLY TO BE APPROPRIATED FROM INDIAN CREEK, TRIBUTARIES OF NORTH FORK CROOKED RIVER

STORAGE FACILITY: SHADY CREEK RESERVOIR

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION, LIVESTOCK AND WILDLIFE ENHANCEMENT TO BE APPROPRIATED UNDER PERMIT S-51232

MAXIMUM STORAGE VOLUME: 490.0 ACRE-FEET (AF), BEING 430.0 AF FOR SUPPLEMENTAL IRRIGATION, 10.0 AF FOR LIVESTOCK AND 50.0 AF FOR WILDLIFE ENHANCEMENT

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

DATE OF PRIORITY: JULY 2, 1990 FOR 400.0 ACRE-FEET (AF), BEING 340.0 AF FOR SUPPLEMENTAL IRRIGATION, 10.0 AF FOR LIVESTOCK AND 50.0 AF FOR WILDLIFE ENHANCEMENT; MAY 14, 1991 FOR 60.0 AF AND MAY 15, 1991 FOR 30.0 AF FOR SUPPLEMENTAL IRRIGATION.

The use of water for livestock and wildlife enhancement is limited to the area of the reservoir.

The dam location/points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
13 S	21 E	WM	31	NE SW		1 - INDIAN CREEK DIVERSION - 2382 FEET NORTH AND 217 FEET WEST FROM N1/4 CORNER, SECTION 6
14 S	21 E	WM	6	NE NW	3	2 - CENTER OF SPILLWAY - 55 FEET SOUTH AND 383 FEET WEST FROM N1/4 CORNER, SECTION 6
14 S	21 E	WM	6	NE NW	3	3 - END OF OUTLET CONDUIT - 180 FEET SOUTH AND 521 FEET WEST FROM N1/4 CORNER, SECTION 6

**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.

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot
13 S	20 E	WM	36	SE SE	
13 S	21 E	WM	31	SW SW	4
13 S	21 E	WM	31	SE SW	
14 S	21 E	WM	6	NE NW	3

The water user shall appropriate water from Indian Creek only when instream flows of 1.0 cubic foot per second are maintained past the point of diversion.

The water user shall maintain a minimum storage of 50.0 AF of water in the reservoir for wildlife enhancement.

The water user shall maintain and operate diversion screening or fish passage facilities on the Indian Creek diversion to Oregon Department of Fish and Wildlife specifications. No screening for fish passage will be required on Shady Creek.

The outlet gate shall be cycled at least once each year and shall be fully operational. The embankment and spillway shall be kept clear of brush, debris, and burrowing animals.

The dam shall be maintained according to the approved plans and specifications dated May 17, 1991, on file with the Water Resources Department.

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 to 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 store and use the water for the above purpose is restricted to beneficial use at the place of use described.

Issued **JAN 30 2015**

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