

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON GILLEN  
PO BOX 6  
POST OR 97752

confirms the right to store water perfected under the terms of Permit R-12236. 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, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-80202

SOURCE: WICKIUP CREEK AND AN UNNAMED STREAM, TRIBUTARIES OF CROOKED RIVER

STORAGE FACILITY: GILLEN RESERVOIR

PURPOSE or USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-80203, PERMIT 53252, FOR SUPPLEMENTAL IRRIGATION, WILDLIFE AND FIRE CONTROL

VOLUME OF ALLOWED USE: 46.2 ACRE-FEET EACH YEAR

THE PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD FEBRUARY 1 TO APRIL 14

DATE OF PRIORITY: APRIL 17, 1995

The Dam and Point of Diversion are located as follows:

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances                                                    |
|------|------|-----|-----|-------|-----------------------------------------------------------------------|
| 15 S | 18 E | WM  | 35  | SW SE | 137.41 FEET NORTH AND 2116.58 FEET WEST<br>FROM SE CORNER, SECTION 35 |

The Area Submerged by the Reservoir is located as follows:

| Twp  | Rng  | Mer | Sec | Q-Q   |
|------|------|-----|-----|-------|
| 15 S | 18 E | WM  | 35  | SW SE |

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.

The outlet gate shall be cycled at least once each year and shall be fully operational at all times.

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, spillway and resultant reservoir shall be maintained according to the approved plans and specifications on file with Oregon Water Resources Dam Safety program.

The completed structure shall not be enlarged, modified, altered or otherwise changed without 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.

Maximum drawdown of the reservoir shall be limited to 36.2 acre-feet of water.

The applicant shall by-pass a minimum flow of 0.50 cfs during the impoundment period, February 1 through April 14, to assure that the stream below the project is not dewatered significantly, creating negative impacts on aquatic life downstream.

The applicants shall by-pass, or pass through the reservoir, all live flow outside of the February 1 to April 14 impoundment period.

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.

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.

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