

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID TIMM
dba BARLOW TRAIL DAIRY
23143 SE TIMM LANE
EAGLE CREEK OR 97022

confirms the right to store water perfected under the terms of Permit R-11353. 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-70578

SOURCE: DAIRY WASTE

STORAGE FACILITY: DAIRY WASTE LAGOON RESERVOIR

PURPOSE OR USE: TO BE APPROPRIATED UNDER PERMIT S-51196, FOR CROP FERTILIZER

MAXIMUM STORAGE VOLUME: 18.3 ACRE-FEET

DATE OF PRIORITY: AUGUST 24, 1990

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	4 E	WM	31	SW NE	37	290 FEET NORTH AND 500 FEET EAST FROM C¼ CORNER, SECTION 31

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
2 S	4 E	WM	31	SW NE	37

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 operated and maintained according to the approved plans and specifications dated September 6, 1990, on file with the Water Resources Department.

The storage of water allowed herein is subject to the maintenance of an outlet pipe, or the provisions of other means to evacuate water when determined necessary by the Director to satisfy prior downstream rights.

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.

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.

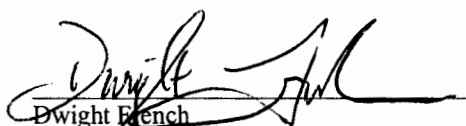
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The 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 lands or place of use described.

MAR 13 2015

Issued _____.



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