

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARL AMSTAD
26547 CHIMNEY GULCH RD
JOHN DAY OR 97845

confirms the right to store water perfected under the terms of Permit R-12856. 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-84278

SOURCE: EAST FORK LUCE CREEK, A TRIBUTARY OF JOHN DAY RIVER

STORAGE FACILITY: QUAIL RES

PURPOSE OR USE: RECREATION, WILDLIFE HABITAT AND FISH POND

MAXIMUM STORAGE VOLUME: 4.0 ACRE-FEET

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: DECEMBER 1 THROUGH APRIL 14

DATE OF PRIORITY: OCTOBER 8, 1999

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	31 E	WM	33	SE SW	700 FEET NORTH AND 1250 FEET WEST FROM S1/4 CORNER, SECTION 33

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
13 S	31 E	WM	33	SE SW

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:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order, and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. 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.

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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

The water user shall maintain and operate fish screening to prevent fish from entering the diversion. The water user shall also maintain and operate a fishway at the obstruction that will provide adequate upstream and downstream passage for fish.

The dam will be constructed to standards that prevent flood conditions from breaching the dam. The spillway shall be properly sized and constructed to pass a 50 year flood event. The core of the dam shall be constructed from rock and fill.

When determined necessary by the department the water user shall install and maintain an outlet pipe, with a minimum diameter of 8 inches and an approved controlling device or shall provide other means to bypass direct flows or to evacuate the stored water.

Use under this right is limited to the reservoir area. This right does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

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.

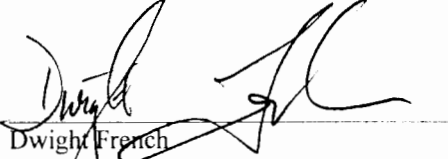
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

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

JUN 12 2015

Issued _____

A handwritten signature in black ink, appearing to read 'Dwight French', is written over a horizontal line.

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