

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON HOCHSTEIN
38100 SW GNOS RD
CORNELIUS OR 97113

confirms the right to store water perfected under the terms of Permit R-12735. 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-84041

SOURCE: AN UNNAMED INTERMITTENT STREAM WITH DEFICIENCIES TO BE MADE UP FROM AN UNNAMED STREAM, TRIBUTARIES OF THE TUALATIN RIVER

STORAGE FACILITY: RESERVOIR 3

PURPOSE or USE: STORAGE, TO BE APPROPRIATED UNDER PERMIT S-53609 FOR NURSERY OPERATIONS

MAXIMUM STORAGE VOLUME: 63.0 ACRE FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH MAY 31

DATE OF PRIORITY: JANUARY 11, 1999

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	3 W	WM	28	SE NW	930 FEET NORTH AND 2320 FEET EAST FROM W1/4 CORNER, SECTION 28

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	3 W	WM	28	SE NW	2320 FEET SOUTH AND 1675 FEET EAST FROM NW CORNER, SECTION 28

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
1 S	3 W	WM	28	NE NW
1 S	3 W	WM	28	SE NW

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 as approved by the Director 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 use may be restricted if the quality of the source stream or downstream water decrease to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

The water user shall maintain and operate fish screening and fishway as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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

Routine maintenance of the dam, its spillway and all 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, the resultant reservoir, and the emergency spillway, shall be maintained according to the approved plans and specification on file with the Oregon Water Resources Dam Safety program. (Plans and Specifications originally approved July 9, 1999)

The completed 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 specification prepared by an Oregon licensed engineer are required for any significant modification, alteration, or rehabilitation of the dam, spillway or appurtenant structures.

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.

The storage of water allowed herein is subject to the installation and 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 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 water for the above purpose is restricted to beneficial use on the lands or place of use described.

JUL 10 2015

Issued _____



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