

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

U.S. FISH AND WILDLIFE SERVICE
 911 NE 11TH AVE
 PORTLAND OR 97232-4181

confirms the right to store water perfected under the terms of Permit R-14175. 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-74272

SOURCE: MORGAN RESERVOIR, CONSTRUCTED UNDER PERMITS R-3093 AND R-4520 AND BASKETT SLOUGH, TRIBUTARIES OF RICKREALL CREEK

STORAGE FACILITY: CACKLER MARSH (SOUTH SLOUGH POND)

PURPOSE OR USE: WETLAND ENHANCEMENT AND WILDLIFE USE

MAXIMUM STORAGE VOLUME: 423.7 ACRE-FEET

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: YEAR ROUND FROM MORGAN RESERVOIR, AND NOVEMBER 1 THROUGH APRIL 30 FROM BASKETT SLOUGH

DATE OF PRIORITY: JUNE 29, 1994

The location of points of diversion are as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	5 W	WM	11	NW NE	POD 1 (MORGAN RESERVOIR DAM) N10°08'17"W, 13,997 FEET FROM NE CORNER, JW BOYLE DLC 55
7 S	5 W	WM	14	SE SE	POD 2 (CACKLER DAM) N21°37'40"W, 3961 FEET FROM NE CORNER, JW BOYLE DLC 55
7 S	5 W	WM	23	NE NE	
7 S	5 W	WM	23	SE NE	

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
7 S	5 W	WM	14	SE SW	4	
7 S	5 W	WM	14	SE SW		60
7 S	5 W	WM	14	SW SE		59
7 S	5 W	WM	14	SW SE		60
7 S	5 W	WM	14	SE SE		59
7 S	5 W	WM	23	NE NE		61
7 S	5 W	WM	23	NW NE		61
7 S	5 W	WM	23	SW NE		61
7 S	5 W	WM	23	SE NE		61

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.

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
7 S	5 W	WM	23	NE NW		61
7 S	5 W	WM	23	SE NW		61

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- 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.

The storage of water allowed herein is subject to the installation and 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 downstream rights.

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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

The embankment and reservoir shall be maintained according to asbuilt drawings on file with the Oregon Water Resources Department.

Routine maintenance of the embankment and spillway shall be performed as determined necessary to remove trees, brush, debris and/or burrowing animals, or to repair areas of erosion.

Flashboards shall be installed and removed at those dates and/or flow conditions as specified in the terms and conditions of the water right.

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.

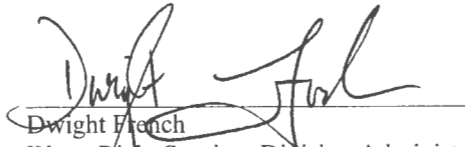
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 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.

Issued NOV 06 2015.



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