STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BUREAU OF LAND MANAGEMENT
BURNS DISTRICT OFFICE
28910 HWY 20 W
HINES OR 97738

confirms the right to store water perfected under the terms of Permit R-11565. 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 FILE NUMBER: R-73147

SOURCE OF WATER: AN UNNAMED INTERMITTENT STREAM, A TRIBUTARY OF CHICKAHOMINY CREEK

STORAGE FACILITY: 5803 DITCH FILL RESERVOIR

PURPOSE or USE: LIVESTOCK AND WILDLIFE

MAXIMUM STORAGE VOLUME: 0.02 ACRE-FOOT

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

DATE OF PRIORITY: JANUARY 7, 1993

The dam centerline is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	25 E	WM	34	SE SW	450 FEET NORTH AND 2860 FEET WEST FROM SE CORNER, SECTION 34

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
23 S	25 E	WM	34	SE SW

If at any time the Director determines the provided alternative for passing flow is not adequate, the Director reserves the right to require installation of an outlet conduit at any time in the future if the Director finds that the conduit is needed for dam safety, to pass flow for the benefit of other water rights, or to pass flow for the benefit of minimum perennial streamflows.

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 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.

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 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 at the place of use described.

Issued AUG 16 2016.

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