

STATE OF OREGON  
COUNTY OF MORROW  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON DEPARTMENT OF FISH AND WILDLIFE  
PO BOX 93  
DAYVILLE OR 97825

confirms the right to the use of water perfected under the terms of Permit S-54560. 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: S-87086

SOURCE OF WATER: SITE #1 RESERVOIR CONSTRUCTED UNDER PERMIT R-14679, SITE #2 RESERVOIR, CONSTRUCTED UNDER PERMIT R-14680, SITE #3 RESERVOIR, CONSTRUCTED UNDER PERMIT R-14681, AND SITE #4 RESERVOIR, CONSTRUCTED UNDER PERMIT R-14682

PURPOSE or USE: IRRIGATION USE ON 8.31 ACRES

MAXIMUM VOLUME: 13.77 ACRE-FEET (AF) EACH YEAR, BEING 0.62 AF FROM SITE #1 RESERVOIR, 6.02 AF FROM SITE #2 RESERVOIR, 5.45 AF FROM SITE #3 RESERVOIR, AND 1.68 AF FROM SITE #4 RESERVOIR

PERIOD OF USE: MARCH 15 THROUGH JUNE 15

DATE OF PRIORITY: FEBRUARY 13, 2008

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	27 E	WM	16	SE SW	SITE #4 RESERVOIR - 900 FEET NORTH AND 2040 FEET EAST FROM SW CORNER, SECTION 16
5 N	27 E	WM	20	NE NE	SITE #2 RESERVOIR - 780 FEET SOUTH AND 1160 FEET WEST FROM NE CORNER, SECTION 20
5 N	27 E	WM	20	SE NW	SITE #1 RESERVOIR - 2035 FEET SOUTH AND 620 FEET WEST FROM N1/4 CORNER, SECTION 20
5 N	27 E	WM	21	NW NW	SITE #3 RESERVOIR - 195 FEET SOUTH AND 455 FEET EAST FROM NW CORNER, SECTION 21

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

**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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	27 E	WM	16	SW SW	1.21
5 N	27 E	WM	16	SE SW	1.00
5 N	27 E	WM	20	NE NE	2.80
5 N	27 E	WM	20	SW NE	0.70
5 N	27 E	WM	20	SE NW	0.40
5 N	27 E	WM	21	NW NW	2.20

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device(s) approved by the Director at each point of diversion. The water user shall maintain the meter or measuring device 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.

Notwithstanding that Oregon Department of Fish and Wildlife has made a determination that fish screens and/or by-pass devices are not necessary at this time, the water user may be required in the future to install, maintain, and operate fish screening and/or by-pass devices to prevent fish from entering the diversion, and to provide adequate upstream and downstream passage for fish.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the water user has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The water user is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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 the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued           JAN 26 2018          



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