

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRAD BOUCHER
2300 COLSTIN RD
ASHLAND OR 97520

confirms the right to store water perfected under the terms of Permit R-12625. 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-72269

SOURCE OF WATER: DIFFUSE RUNOFF AND RAIN COLLECTED IN AN UNNAMED DITCH, MILL CREEK, AND TWO UNNAMED INTERMITTENT STREAMS, TRIBUTARIES OF COTTONWOOD CREEK

STORAGE FACILITY: FOUR UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-72266 FOR SUPPLEMENTAL IRRIGATION AND NURSERY OPERATIONS

MAXIMUM STORAGE VOLUME: 4.1 ACRE-FEET (AF) EACH YEAR; BEING

STORAGE FACILITY	MAXIMUM SOTRAGE VOLUME	SOURCE OF WATER	PERIOD OF USE
RESERVOIR 1	0.3 AF	DIFFUSE RUNOFF; RAIN COLLECTED AND IN AN UNNAMED DITCH	NOV. 1 – FEB. 28
		MILL CREEK**	MAR. 1 – OCT. 31
RESERVOIR 2	0.5 AF	UNNAMED STREAM 1	YEAR ROUND
RESERVOIR 3	1.0 AF	UNNAMED STREAM 2	YEAR ROUND
RESERVOIR 4	2.3 AF	UNNAMED STREAM 2	YEAR ROUND

****WATER MAY NOT BE DIVERTED FROM MILL CREEK FOR STORAGE BETWEEN NOVEMBER 1 AND FEBRUARY 28 OF EACH YEAR**

DATE OF PRIORITY: MARCH 20, 1992

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.

The dams/outlets are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	1 E	WM	11	NE NW	MILL CREEK POD - 1000 FEET SOUTH AND 3980 FEET WEST FROM NE CORNER, SECTION 11
41 S	1 E	WM	12	NE SW	RES 2 OUTLET - 820 FEET SOUTH AND 1775 FEET WEST FROM CE1/16 CORNER, SECTION 12
41 S	1 E	WM	12	NW SW	RES 1 OUTLET - 700 FEET SOUTH AND 2930 FEET WEST FROM CE1/16 CORNER, SECTION 12
41 S	1 E	WM	12	SE SW	RES 3 DAM - 1750 FEET SOUTH AND 2270 FEET WEST FROM CE1/16 CORNER, SECTION 12
41 S	1 E	WM	12	SE SW	RES 4 DAM - 1670 FEET SOUTH AND 1680 FEET WEST FROM CE1/16 CORNER, SECTION 12

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	Reservoir
41 S	1 E	WM	12	NE SW	2
41 S	1 E	WM	12	NW SW	1
41 S	1 E	WM	12	SE SW	3
41 S	1 E	WM	12	SE SW	4

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.

The water user shall maintain, and operate fish screening to prevent fish from entering the diversion.

The storage of water allowed herein, on Reservoirs 1, 3, and 4, 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 Department to satisfy prior downstream rights.

The storage of water allowed herein, on Reservoir 2, is subject to the installation and maintenance of a fully functional conduit gate assembly having a minimum diameter of 8 inches.

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.

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.

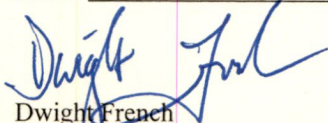
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 at the place of use described.

Issued JAN 08 2021.



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

