

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

O MOUNTAINAIR LTD  
4220 VERSAILLES  
DALLAS TX 75205

confirms the right to store water perfected under the terms of Permit R-14856. 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-86357

SOURCE OF WATER: RUNOFF AND SPRINGS, TRIBUTARY OF LA SERE CREEK

STORAGE FACILITY: FISH LAKE

USE: MULTIPLE PURPOSE

MAXIMUM VOLUME: 13.6 ACRE-FEET

WATER MAY BE APPROPRIATED DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 15

DATE OF PRIORITY: JUNE 30, 2005

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	18 E	WM	32	NW NE	1265 FEET SOUTH AND 2097 FEET WEST FROM NE CORNER, SECTION 32

The area submerged by this reservoir is as follows:

Twtp	Rng	Mer	Sec	Q-Q
38 S	18 E	WM	32	NW NE

Measurement, recording, and reporting conditions:

- A. The water user shall maintain a staff gage capable of measuring the lake level in good working order. The staff gage shall be viewable from the bank of the reservoir and shall be able to measure the full range of the reservoir level. The water user shall keep a record of monthly lake elevations May 1<sup>st</sup> through Nov 1<sup>st</sup> and shall submit a report that includes the 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 or be required to make lake elevations more frequently as needed by the Watermaster for regulation purposes.

**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.

- B. The water user shall allow the watermaster access to the devices; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.

The water user shall maintain the improved outlet control works in good working order. The water user/landowner must keep the works and the spillway channel clear of any man made or animal caused obstructions.

This right allows an annual appropriation (not to exceed the specified volume). This right does not provide for the appropriation of water for out-of-reservoir uses, maintenance of the water level or maintaining a suitable freshwater conditions. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater conditions, an additional water right is required.

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.

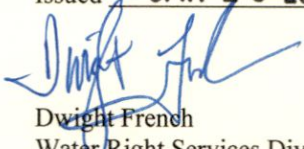
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 28 2022**



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