

STATE OF OREGON
 COUNTY OF WASHINGTON
 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-12652. 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-83470

SOURCE OF WATER: CHICKEN CREEK, A TRIBUTARY OF TUALATIN RIVER

STORAGE FACILITY: UNNAMED RESERVOIR

PURPOSE OR USE OF THE STORED WATER: WETLAND ENHANCEMENT

MAXIMUM STORAGE VOLUME: 578.3 ACRE-FEET PER YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH MAY 31

DATE OF PRIORITY: JUNE 23, 1997

The point of diversions are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	1 W	WM	19	SE NE	41	WETLAND 5S POD - 790 FEET SOUTH AND 630 FEET EAST FROM NW CORNER, DLC 41
2 S	1 W	WM	19	NE SE	41	CHICKEN CRK POD - 2170 FEET SOUTH AND 520 FEET EAST FROM NW CORNER, DLC 41
2 S	1 W	WM	20	SW NE	41	POND 1P POD - 1480 FEET SOUTH AND 5030 FEET EAST FROM NW CORNER, DLC 41
2 S	1 W	WM	20	SE NW	41	WETLAND 1S AND 1SA POD - 1000 FEET SOUTH AND 3810 FEET EAST FROM NW CORNER, DLC 41
2 S	1 W	WM	20	NE SW	41	WETLAND 2S POD - 3110 FEET SOUTH AND 3630 FEET EAST FROM NW CORNER, DLC 41
2 S	1 W	WM	20	NW SE	41	POND 2P POD - 2640 FEET SOUTH AND 4250 FEET EAST FROM NW CORNER, DLC 41

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 area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
2 S	1 W	WM	19	NE NE	41
2 S	1 W	WM	19	SE NE	41
2 S	1 W	WM	20	NW NE	
2 S	1 W	WM	20	SW NE	
2 S	1 W	WM	20	NE NW	41
2 S	1 W	WM	20	NW NW	41
2 S	1 W	WM	20	SW NW	41
2 S	1 W	WM	20	SE NW	41
2 S	1 W	WM	20	NE SW	41
2 S	1 W	WM	20	NW SW	41
2 S	1 W	WM	20	SW SW	41
2 S	1 W	WM	20	SE SW	41
2 S	1 W	WM	20	NW SE	
2 S	1 W	WM	20	SW SE	

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 water user shall maintain and operate fish screening and fishways consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the diversion while fishways provide adequate upstream and downstream passage for fish.

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

When in the judgment of the watermaster it becomes necessary to regulate waters of the stream system, storage of water in the reservoir shall be subject to the installation of suitable devices for measuring all incoming natural flows and out flows from the reservoir or passing all incoming natural flows. The types and plans shall be installed under the general supervision of said watermaster.

The dam shall be operated and maintained according to the plans and specifications approved May 6, 1997, on file with the Water Resources Department.

The outlet gate shall be cycled at least once a year and shall be fully operational at all times.

Routine maintenance of the dam, spillway, and appurtenant structures shall be performed as necessary to remove trees, brush, and debris, and to repair slumps, areas of erosion, or defective equipment.

The earthen dam, spillway, and resultant reservoir shall be maintained according to the approved plans and specifications on file with the Oregon Water Resources Dam Safety program.

The completed structure shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director of the Water Resources Department or the Director's authorized representative. Except for routine repair and maintenance, plans and specifications prepared by the Oregon licensed engineer, or a professional engineer in the employ of the federal government, are required for any modification or rehabilitation of the dam, spillway, or appurtenant structures. The storage of water allowed herein is subject to the installation and maintenance of a fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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.

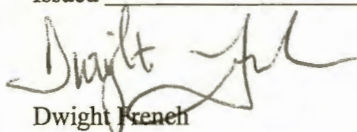
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 SEP 30 2022



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department