

STATE OF OREGON  
 COUNTY OF CLACKAMAS  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

VICTOR SCHNEIDER JR  
 37485 S HWY 213  
 MOUNT ANGEL OR 97362

Confirms the right to store water perfected under the terms of Permit R-14820. 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-87276

SOURCE OF WATER: RUNOFF AND BUTTE CREEK, TRIBUTARIES OF PUDDING RIVER

STORAGE FACILITY: REMEMBRANCE LAKE

PURPOSE OR USE OF THE STORED WATER: MULTIPLE PURPOSE

MAXIMUM VOLUME: 76.1 ACRE-FEET EACH YEAR

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

DATE OF PRIORITY: AUGUST 27, 2008

The dam and creek are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	1 E	WM	8	SW NE	41	DAM LOCATION - 1950 FEET SOUTH AND 1482 FEET WEST FROM NE CORNER, SECTION 8
6 S	1 E	WM	8	SW NE	41	BUTTE CREEK - 2077 FEET SOUTH AND 1575 FEET WEST FROM NE CORNER, SECTION 8

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
6 S	1 E	WM	8	NE NE	41
6 S	1 E	WM	8	NW NE	41
6 S	1 E	WM	8	SW NE	41
6 S	1 E	WM	8	SE NE	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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter at the Butte Creek point of diversion, in good working order.
- B. A staff gage that measures the entire range and stage between full reservoir level and dead pool level in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.
- C. The water user shall maintain such devices 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 water-use information, including the place and nature of the use of water under the right.
- D. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- E. 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 storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when necessary.

The water user shall pass all live flow outside the storage season described above.

This right does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is used for out-of-reservoir purposes, or any live flow is appropriated to maintain either the water level or suitable freshwater condition, a secondary water right is required.

The water user shall maintain and operate fish screening consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the diversion.

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.

The constructed works shall conform to the approved plans and specifications on file with the Water Resource Dam Safety program.

Routine maintenance or repair of dam, its spillway and all appurtenant structures shall be performed to include, but not limited to, the removal of woody vegetation or debris, prompt restoration of areas of erosion or to replace defective equipment necessary for the continued safe operation of the project works.

Except for routine repair and maintenance, design plans and specifications must be prepared by an Oregon licensed professional engineer and approved by the Water Resources Dam Safety program prior to any enlargement, modification, or alteration of the dam, its spillway or any appurtenant structure.

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.

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 state and 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 store water for the above purpose is restricted to beneficial use at the place of use described.

Issued **MAR 31 2023**



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