

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROY VARDANEGA
29496 HWY 395
FOX OR 97856

confirms the right to store water perfected under the terms of Permit R-15149. 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-88022

SOURCE OF WATER: RUNOFF AND A SPRING, TRIBUTARIES OF FOX CREEK AND WILEY CREEK

STORAGE FACILITY: POND 1 AND POND 2

PURPOSE OR USE OF THE STORED WATER: FIRE PROTECTION AND IRRIGATION OF 60.0 ACRES

MAXIMUM VOLUME: 13.2 ACRE-FEET (AF) EACH YEAR, BEING 4.0 AF IN POND #1 AND 9.2 AF IN POND #2

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: JANUARY 1 THROUGH APRIL 14

DATE OF PRIORITY: OCTOBER 16, 2014

The dams and spring are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	30 E	WM	18	SW SE	POND 2 - 540 FEET NORTH AND 1130 FEET EAST FROM S1/4 CORNER, SECTION 18
11 S	30 E	WM	18	SE SE	POND 1 - 20 FEET NORTH AND 1855 FEET EAST FROM S1/4 CORNER, SECTION 18
11 S	30 E	WM	18	SE SE	SPRING 2 - 380 FEET NORTH AND 1440 FEET EAST FROM S1/4 CORNER, SECTION 18

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
11 S	30 E	WM	18	SW SE
11 S	30 E	WM	18	SE SE
11 S	30 E	WM	19	NE NE

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 devices, and recording/reporting of annual water storage conditions:

- A. The water user shall maintain, in good working order, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage. If no dead-pool the gage must measure full depth of reservoir.
- B. The water user shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the volume of water stored and may require the water user to report water-storage 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.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

Diversion of water under this right is contingent on designated scenic waterway flows being met downstream. The user is required to monitor streamflow at John Day River at McDonald Ferry, Oregon, gage 14048000, and discontinue diversion when the flows specified below are unmet at the gage. At the discretion of the Director, the location and nature of streamflow monitoring required to protect scenic waterway flows are subject to change. In addition, the watermaster may regulate diversion under this right if it is determined by the Department that the flows listed below are unmet at the gage.

John Day Scenic Waterway	
Month	Minimum Flow (cfs)
January	500
February	1000
March – April 14	2000

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.

The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.

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, the maintenance of the water level or maintaining a suitable freshwater condition. 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 condition, an additional water right is required.

Notwithstanding that Oregon Department of Fish and Wildlife has made a determination that fish screens are not necessary at the time of permit issuance, the water user may be required in the future to install, maintain, and operate fish screening to prevent fish from entering the diversion.

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 meets state and federal water quality standards due to reduced flows.

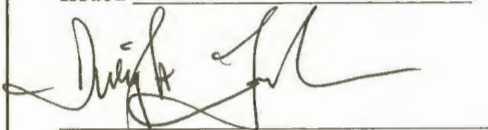
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 15 2024**



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