

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THE NOAH DUFFIELD LIVING TRUST
BETTY LOU DUFFIELD
5060 NW GALES CREEK RD
FOREST GROVE OR 97116

confirms the right to store water perfected under the terms of Permit R-11552. 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-72150

SOURCE OF WATER: HARVEY CREEK, A TRIBUTARY OF CHEHALEM CREEK

STORAGE FACILITY: FIVE RESERVOIRS, TO BE MAINTAINED UNDER APPLICATION 72151, PERMIT 51624

PURPOSE OR USE OF THE STORED WATER: FISH CULTURE

MAXIMUM STORAGE VOLUME: 1.141 ACRE-FEET (AF) EACH YEAR, BEING 0.22 AF IN RESERVOIR 1, 0.092 AF IN RESERVOIR 2, 0.476 AF IN RESERVOIR 3, 0.205 AF IN RESERVOIR 5, 0.148 AF IN RESERVOIR 6

DATE OF PRIORITY: JANUARY 21, 1992

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
3 S	3 W	WM	23	SW SE	58	500 FEET SOUTH AND 90 FEET EAST FROM NW CORNER, LOT 12 OF THE REARRANGEMENT OF HOBSON'S FRUIT LAND SUBDIVISIONS, SECTION 23

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
3 S	3 W	WM	23	NW SE	58
3 S	3 W	WM	23	SW SE	58

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 dam hereby was constructed without inclusion of an outlet conduit. However, if at any time the Director determines the provided alternative for passing flow is not adequate, the Director reserves the right to require installation of an outlet conduit at any time in the future if the Director finds that the conduit is needed for dam safety, to pass flow for the benefit of other water rights, or to pass flow for the benefit of minimum perennial streamflows.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- 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.
- C. 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 may be required in the future to install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife 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.

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.

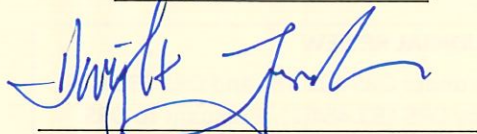
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 OCT 18 2024



Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department