

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNY UNGER
30223 HAWKSET ST
CASTAIC CA 91384

confirms the right to store water perfected under the terms of Permit R-14794. 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-87364

SOURCE OF WATER: HUTCHCROFT CREEK, A TRIBUTARY OF NORTH YAMHILL RIVER

STORAGE FACILITY: UNGER 1 RESERVOIR

PURPOSE OR USE OF THE STORED WATER: MULTIPLE PURPOSE

MAXIMUM RATE: 50.0 ACRE-FEET EACH YEAR

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 15 THROUGH THE END OF FEBRUARY

DATE OF PRIORITY: DECEMBER 12, 2008

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	5 W	WM	36	SW SW	1025 FEET NORTH AND 90 FEET EAST FROM SW CORNER, SECTION 36

POINT OF DIVERSION:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	5 W	WM	36	NW SW	37	POD 4 - 1590 FEET NORTH AND 215 FEET EAST FROM SW CORNER, SECTION 36

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
2 S	5 W	WM	35	SE SE
2 S	5 W	WM	36	SW SW

Measurement, recording and reporting conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where any 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 diverted and may require the water user to report water use on a periodic schedule as established by the Director.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

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 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.

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

Routine maintenance or repair of the dam, spillway and 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 the defective equipment necessary for the continued safe operation of the project works.

No embankment fill shall be placed until the upstream face of the dam to receive the new fill has been prepared and examined in its entirety by the engineer of record, or by the Water Resources Dam Safety Engineer.

Except for routine repair and maintenance, plans and specifications must be prepared by the Oregon licensed engineer and approved by Oregon 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.

Use under this right is limited to the reservoir area. This right does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

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 or an approved alternative siphon or pumping system subject to approval by dam safety section

The use may be restricted if the quality of the source stream decreases to the point that those waters no longer meet existing 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 DEC 10 2024.



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

