

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BENJAMIN BECK
SARAH SIBBERNSEN
1200 STERLING CREEK RD
JACKSONVILLE OR 97530

confirms the right to store water perfected under the terms of Permit R-15313. 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-88487

SOURCE OF WATER: POORMAN CREEK AND RUN-OFF, TRIBUTARY TO FOREST CREEK

STORAGE FACILITY: A RESERVOIR

MAXIMUM VOLUME: 1.0 ACRE-FOOT

DATE OF PRIORITY: DECEMBER 21, 2017

WATER MAY BE APPROPRIATED AS FOLLOWS: FEBRUARY 1 THROUGH MARCH 31

USE: MULTIPLE PURPOSE

Dam Location/Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
38 S	2 W	WM	7	SW NW	2	DAM - 125 FEET NORTH AND 385 FEET EAST FROM W1/4 CORNER, SECTION 7
38 S	2 W	WM	7	SW NW	2	POORMAN CREEK POD - 20 FEET NORTH AND 395 FEET EAST FROM W1/4 CORNER, SECTION 7

The Area To Be Submerged:

Twp	Rng	Mer	Sec	Q-Q	GLot
38 S	2 W	WM	7	SW NW	2

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 Director may require the water user to install a totalizing flow meter at each point of diversion. If the Director notifies the water user to install a measuring device, the water user shall install such device within the period stated in the notice. Once installed, the water user shall maintain the device in good working order and shall allow the watermaster access to the device
- B. 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.
- C. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

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.

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

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.

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.

Diversion of water under this right is contingent on designated scenic waterway flows being met downstream. The user is required to monitor streamflow at Rogue River near Agness, OR, gage 14372300, and discontinue diversion when the flows specified below are unmet at the gage. At the discretion of the Director, the location and nature of the streamflow monitoring required to protect the scenic waterway flows is 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.

Rogue Scenic Waterway	
Month	Minimum Flow (CFS)
February	3500
March	3500

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 APR 01 2025



Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

