

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TRIPLE 7 RANCH LLC  
PO BOX 428  
LONG CREEK OR 97856

confirms the right to store water perfected under the terms of Permit R-15323. 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-88319

SOURCE OF WATER: COTTONWOOD CREEK, TRIBUTARY OF NORTH FORK JOHN DAY RIVER; AND THREE (3) SPRINGS, TRIBUTARIES TO COTTONWOOD CREEK

STORAGE FACILITIES RESERVOIRS: N3, S1, S2, AND S3

PURPOSE OR USE OF THE STORED WATER: IRRIGATION, LIVESTOCK, FIRE PROTECTION, FISH LIFE, WILDLIFE, POLLUTION ABATEMENT, AND RECREATION

MAXIMUM VOLUME: 89.23 ACRE-FEET (AF), BEING 5.02 AF IN RESERVOIR N3; 53.84 AF IN RESERVOIR S1, 10.9 AF IN RESERVOIR S2; AND 19.47 AF IN RESERVOIR S3.

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

DATE OF PRIORITY: NOVEMBER 30, 2016

The points of diversion are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
1	9 S	28 E	WM	18	NE SW		4810 FEET NORTH AND 3820 FEET WEST FROM E1/4 CORNER, SECTION 19
3	9 S	28 E	WM	19	NW SW	3	760 FEET SOUTH AND 4410 FEET WEST FROM E1/4 CORNER, SECTION 19

**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, right 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 springs/reservoirs are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	GLOT	Measured Distances
SPRING S1/ RESERVOIR S1	9 S	28 E	WM	19	NW SW		450 FEET SOUTH AND 3590 FEET WEST FROM E1/4 CORNER, SECTION 19
SPRING S2/ RESERVOIR S2	9 S	28 E	WM	19	NW SW	3	1120 FEET SOUTH AND 4070 FEET WEST FROM E1/4 CORNER, SECTION 19
SPRING S3/ RESERVOIR S3	9 S	28 E	WM	19	SW SW	4	1660 FEET SOUTH AND 4090 FEET WEST FROM E1/4 CORNER, SECTION 19
RESERVOIR N3	9 S	28 E	WM	18	SE NW		6680 FEET NORTH AND 3990 FEET WEST FROM E1/4 CORNER, SECTION 19

The dam location is located as follows:

	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
RESERVOIR S1	9 S	28 E	WM	19	NE SW	20 FEET SOUTH AND 3920 FEET WEST FROM E1/4 CORNER, SECTION 19

The area submerged by these reservoirs is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	RES
9 S	28 E	WM	18	NE NW		N3
9 S	28 E	WM	18	SE NW		N3
9 S	28 E	WM	19	NE SW		R1
9 S	28 E	WM	19	NW SW	3	R1, R2
9 S	28 E	WM	19	SW SW	4	R3

**Measurement Devices and Recording/Reporting of Annual Water Storage Conditions:**

- A. The water user shall maintain, in good working order, a totalizing flow meter at each point of diversion.
- 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.
- 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	2000
April	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.

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 may be required in the future to install, maintain, and operate fish-screening devices to prevent fish from entering the proposed 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 meet state or 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 SEP 05 2025.



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