

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BANEY CORPORATION  
SOUTH FORK RANCH LLC  
475 NE BELLEVUE DR SUITE 210  
BEND OR 97701

confirms the right to store water perfected under the terms of Permit R-15589. 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-88155

SOURCE OF WATER: SARVIS CREEK, TRIBUTARY TO CROOKED RIVER

STORAGE FACILITY: SARVIS CREEK RESERVOIR, ENLARGEMENT OF RIGHT R-5534

PURPOSE OR USE OF THE STORED WATER: IRRIGATION, LIVESTOCK, RECREATION, AND WILDLIFE

MAXIMUM VOLUME: 108.0 ACRE-FEET

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

DATE OF PRIORITY: DECEMBER 17, 2015

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	21 E	WM	9	NE SW	90 FEET SOUTH AND 1620 FEET EAST FROM W1/4 CORNER, SECTION 9

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
17 S	21 E	WM	9	SE NW
17 S	21 E	WM	9	NE SW
17 S	21 E	WM	9	NW SW

**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.

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.

Water Use Measurement, Recording, and Reporting:

- 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 in the reservoir. If no dead-pool, the gage must measure the full depth of the 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 water user shall keep a complete record of the volume of water stored each month, and shall submit a report which includes water-storage measurements to the Department annually (or more frequently as may be required by the Director). Further, the Director may require the water user to report general water-use information, including 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.

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. In addition, the water user shall release all water stored under this right and bypass all inflow if Prineville Reservoir is not filled to 148,640 AF by April 15th of each year.

The water user shall maintain a vegetated buffer strip above the reservoir to trap sediment, nutrients, and other pollutants before they enter the reservoir.

The water user shall limit polluting activities near the reservoir or in areas that drain into the reservoir.

The water user shall exclude livestock from the reservoir.

The water user shall carefully read and follow label directions when using aquatic herbicides.

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.

A fishway to ensure adequate upstream and downstream passage for fish is required for any in-channel obstruction, unless the water user has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission.

Notwithstanding that Oregon Department of Fish and Wildlife (ODFW) has made a determination that fish screens are not necessary at the time of right issuance, 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.

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 existing state or federal water quality standards due to reduced flows.

This permit 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 the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued JAN 23 2026.



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

