

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or 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.

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CREIGHTON & PHYLLIS M. BAXTER
RT 1, BOX 120
OAKLAND, OREGON 97462

confirms the right to use the waters of CALAPOOYA CREEK, a tributary of the UMPQUA RIVER, for IRRIGATION OF 31.3 ACRES.

This right was perfected under Permit 22474. The date of priority is AUGUST 12, 1953. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.39 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion is located as follows:

NE 1/4 SW 1/4, SECTION 35, T 24 S, R 5 W, W.M.; 2660 FEET SOUTH AND 1420 FEET EAST FROM THE NW CORNER, SECTION 35.

SW 1/4 NE 1/4, SECTION 35, T 24 S, R 5 W, W.M.; 2250 FEET SOUTH AND 2660 FEET EAST FROM THE NW CORNER, SECTION 35.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre feet each acre irrigated during the irrigation season of each year.

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

NE 1/4 SW 1/4 13.6 ACRES
NW 1/4 SW 1/4 17.7 ACRES
SECTION 35
TOWNSHIP 24 SOUTH, RANGE 5 WEST, W.M.

When in the judgement of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the water user is entitled;

the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

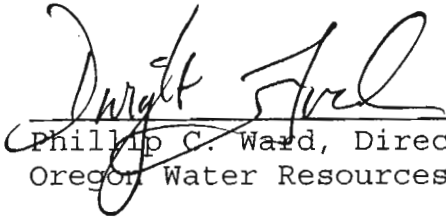
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm a change in POINTS OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered on DECEMBER 23, 1981, and together with Certificate 50902, supersedes Certificate 43747, State Record of Water Right Certificates.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed

OCT 06 2006



Phillip C. Ward, Director
Oregon Water Resources Department



Recorded in State Record of Water Right Certificates numbered 82349

T-4780.JWG