

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 WHEELER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

E.W. TAYLOR
MITCHELL, OREGON 97750

confirms the right to use the waters of the WEST BRANCH, a tributary of BRIDGE CREEK, for IRRIGATION OF 5.7 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for WHEELER COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 12, at Page 388. The date of priority is 1872.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE-FORTIETH ONE CUBIC FOOT PER SECOND PER ACRE IRRIGATED BEFORE JUNE 15, and ONE-EIGHTIETH OF ONE CUBIC FOOT PER SECOND AFTER JUNE 15, during the irrigation season from March 1 to October 1 of each year, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW¼ SE¼, SECTION 3, T 12 S, R 20 E, WM

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

SW¼ NE¼ 4.6 ACRES

NW¼ SE¼ 1.1 ACRES

SECTION 3

TOWNSHIP 12 SOUTH, RANGE 20 EAST, W.M.

When in the judgment 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 wateruser 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.

This certificate describes that portion of the water right confirmed by Certificate 53608, State Record of Water Right Certificates, NOT modified by the provision of orders of the Water Resources Director, entered MARCH 26, 1986 approving Transfer Application 5738, and NOVEMBER 25, 1986 approving Transfer Application 5788.

The issuance of the superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 and is subject to all other conditions and limitations contained in said decree.

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.

WITNESS the signature of the Water Resources Director, affixed

NOV 03 2006



Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82495.

T-5738 & 5788.LHN