

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. 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 at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RALPH H. JACOBS
44955 JACOBS ROAD
BAKER CITY, OREGON 97814

confirms the right to use the waters of BALM CREEK AND BALM CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-3679, tributaries of POWDER RIVER, for IRRIGATION OF 137.6 ACRES.

This right was perfected under Permit 48143. The date of priority is JUNE 28, 1982. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.12 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

BALM CREEK: NE 1/4 SW 1/4, SECTION 6, T 8 S, R 43 E, W.M.; 4180 FEET NORTH AND 2340 FEET EAST FROM THE W 1/4 CORNER, SECTION 7.

BALM CREEK RESERVOIR: NW 1/4 SE 1/4, SECTION 7, T 7 S, R 43 E, W.M.; 1090 FEET NORTH AND 1150 FEET WEST FROM THE SE CORNER, NW 1/4 SE 1/4, SECTION 7.

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-FORTIETH 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 3.5 acre-feet from direct flow and storage from reservoir constructed under Permit R-3679.

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

NW 1/4	SE 1/4	17.1 ACRES
SW 1/4	SE 1/4	36.8 ACRES
SE 1/4	SE 1/4	0.6 ACRE

SECTION 7

NW 1/4	NE 1/4	18.5 ACRES
SW 1/4	NE 1/4	1.1 ACRES
NE 1/4	NW 1/4	38.4 ACRES
SE 1/4	NW 1/4	25.1 ACRES

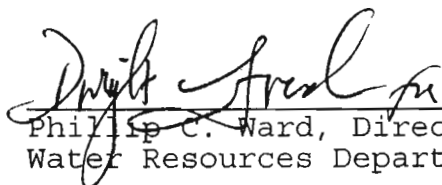
SECTION 19

TOWNSHIP 8 SOUTH, RANGE 43 EAST, W.M.

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. 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 27 2006


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82513.

S-63711.JWG