

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHARLES E MILLER
WEST BRANCH CREEK RD
MITCHELL OR 97750

confirms the right to use the waters of WEST BRANCH BRIDGE CREEK, SPRING BRANCH BRIDGE CREEK, AND C.E. MILLER RESERVOIR, CONSTRUCTED UNDER PERMIT R-11007, tributaries of the JOHN DAY RIVER, for IRRIGATION OF 18.3 ACRES, AND SUPPLEMENTAL IRRIGATION OF 24.2 ACRES.

This right was perfected under Permit S-50427. The date of priority is OCTOBER 27, 1986. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.05 CUBIC FEET PER SECOND (CFS), BEING 0.45 CFS FOR IRRIGATION FROM WEST BRANCH OF BRIDGE CREEK WHEN AVAILABLE, WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY TO BE MADE UP BY APPROPRIATION FROM SPRING BRANCH OF BRIDGE CREEK AND C.E. MILLER RESERVOIR; and 0.60 CFS FOR SUPPLEMENTAL IRRIGATION FROM SPRING BRANCH BRIDGE CREEK AND C.E. MILLER RESERVOIR or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
SPRING BRANCH AND RESERVOIR	12 S	20 E	WM	10	SW NW	180 FEET NORTH AND 440 FEET EAST FROM W1/4 CORNER, SECTION 10
WEST BRANCH	12 S	20 E	WM	22	SE SW	920 FEET NORTH AND 1340 FEET EAST FROM SW CORNER, SECTION 22

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. 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.

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. 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.

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
12 S	20 E	WM	10	NE NW	9.7
12 S	20 E	WM	10	SW NW	7.8
12 S	20 E	WM	10	SE NW	0.8

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
12 S	20 E	WM	3	SE SW	3.9
12 S	20 E	WM	10	NE NW	4.6
12 S	20 E	WM	10	NW NW	6.4
12 S	20 E	WM	10	SW NW	6.7
12 S	20 E	WM	10	SE NW	2.6

This right is for the beneficial use of water.

The land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged 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.

WITNESS the signature of the Water Resources Director, affixed MAY 16 2007


Phillip C. Ward, Director
Water Resources Department