

STATE OF OREGON  
COUNTY OF BAKER  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EDWARD AND PATRICIA ELMS  
42543 POCAHONTAS RD.  
BAKER CITY, OR 97814

JOHN KIRKPATRICK  
2321 ROLLING HILLS DRIVE  
CLARKSTON, WA 99403

GARNET KALELI, MILO GOSS,  
SUSAN HUGHES and MARK GOSS  
P.O. BOX 519  
LA GRANDE, OR 97850

ANNE KIRKPATRICK  
3140 N 2<sup>ND</sup> STREET  
BAKER CITY, OR 97814

confirms the right to use the waters of EAGLE CREEK, tributary to POWDER RIVER, for IRRIGATION of 1.0 ACRE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Baker County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 6, at Page 291. The date of priority is 1881 FOR 1.0 ACRE.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
8 S	45 E	WM	33	SE NW	NEWT YOUNG DITCH - 1950 feet South and 1400 feet East from the NW corner of Section 33

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 per acre, and shall be subject to all other conditions and limitations contained in said decree.

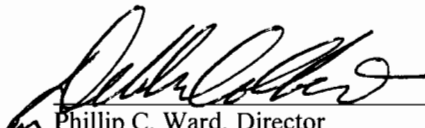
A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	46 E	WM	30	SW NE	1.0

The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered November 8, 2007, approving Transfer Application T-10339, and supersedes Certificate 4649, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed November 8, 2007.

  
Phillip C. Ward, Director

**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.