

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WESTERN HEIGHTS HOMEOWNERS ASSOCIATION  
PO BOX 334  
BAKER CITY OR 97814

confirms the right to use the waters of TWO WELLS in the POWDER RIVER Basin for SUPPLEMENTAL GROUP DOMESTIC FOR 36 FAMILIES.

This right was perfected under Permit G-12850. The date of priority is MAY 25, 1995. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.129 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

Period of Use: Year Round

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1	9 S	39 E	WM	13	NE SW	676 FEET SOUTH AND 2314 FEET EAST FROM W1/4 CORNER, SECTION 13
2	9 S	39 E	WM	13	NE SW	683 FEET SOUTH AND 2320 FEET EAST FROM W1/4 CORNER, SECTION 13

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

Twp	Rng	Mer	Sec	Q-Q
9 S	39 E	WM	13	SW NE
9 S	39 E	WM	13	SW NW
9 S	39 E	WM	13	SE NW
9 S	39 E	WM	13	NE SW
9 S	39 E	WM	13	NW SE

SUPERSEDED BY  
CERT. NO. 91504

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.

**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.

- B. The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the wells shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provision of this right may result in action including, but not limited to , restriction on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulation may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

MAR 14 2008

WITNESS the signature of the Water Resources Director, affixed \_\_\_\_\_.



Phillip C. Ward, Director  
Water Resources Department