

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DALE D HOLCOMB
 GENERAL DELIVERY
 RICHLAND OREGON 97870

confirms the right to use the waters of WASTE WATER FROM EAGLE CREEK, for SUPPLEMENTAL IRRIGATION of 26.0 ACRES.

This right was perfected under Permit 11105. The date of priority is JULY 12, 1933. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.50 CUBIC FOOT PER SECOND, if available at the original point of diversion located in the NW¼ SW¼ NE¼, SECTION 10, T 9 S, R 45 E, WM, 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	GLot	DLC	Survey Coordinates
1	9 S	45 E	WM	10	SE NW			1400 FEET SOUTH AND 120 FEET WEST FROM THE N¼ CORNER, SECTION 10
2	9 S	45 E	WM	10	SE NE			1350 FEET SOUTH AND 650 FEET EAST FROM THE N¼ CORNER, SECTION 10.

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 3.0 acre-feet per acre for each acre irrigated during the irrigation season from April 1 to October 1 of each year, and does not carry with it the right to require the wasteful use of water by others. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
9 S	45 E	WM	10	SW NE			20.0
9 S	45 E	WM	10	SE NW			6.0

The quantity of water diverted at the new point of diversion, together with the quantity diverted at the old point of diversion, shall not exceed the quantity of water available at the original point of diversion under the right.

NOTICE OF RIGHT TO 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.

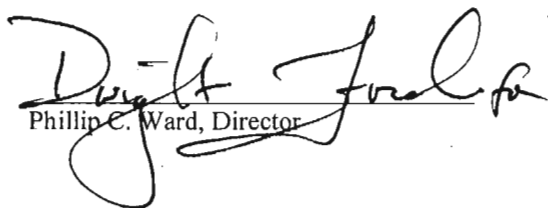
When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices, the diversion works shall include in-line flow meters, weirs, or other suitable devices for measuring the water to which the water user is entitled. The types and plans of the measuring devices shall be approved by the Watermaster before the beginning of construction work and the weirs or measuring devices shall be installed under the general supervision of the Watermaster.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 27, 1979, at Special Order Volume 32, Page 537, approving Transfer Application 4323, and supersedes Certificate 11033, State record of Water Right Certificates.

This certificate also designates this right supplemental to the water right evidenced by Certificate 4606.

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.

Issued NOV 07 2008


Phillip C. Ward, Director