

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

F. L. ROSS  
P.O. BOX 11  
UNITY, OR 97884

confirms the right to use the waters of ROSS SPRING AND SIX UNNAMED SPRINGS, TRIBUTARIES OF JOB CREEK, AND COTTONWOOD SPRING, A TRIBUTARY OF RIPLEY GULCH for LIVESTOCK WATER.

This right was perfected under Permit 51516. The date of priority is DECEMBER 18, 1990. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 91.0 GALLONS PER MINUTE (GPM), BEING 10.0 GPM FROM SPRING 7, 12.0 GPM FROM SPRING 8, 5.0 GPM FROM SPRING 9, 4.0 GPM FROM SPRING 10, 12.0 GPM FROM SPRING 11, 14.0 GPM FROM SPRING 12, 10.0 GPM FROM SPRING 13, 8.0 GPM FROM SPRING 14, AND 16.0 GPM FROM SPRING 15, measured at the point of diversion.

The points of diversion are located as follows:

SPRING	Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
7	13 S	37 E	WM	16	NE NW		410 FEET SOUTH & 1560 FEET EAST FROM NW CORNER, SECTION 16
8	13 S	37 E	WM	21	SW SW		380 FEET NORTH & 1050 FEET EAST FROM SW CORNER, SECTION 21
9	13 S	37 E	WM	22	SW SW		80 FEET NORTH & 950 FEET EAST FROM SW CORNER, SECTION 22
11	13 S	37 E	WM	32	SW SE		40 FEET NORTH & 260 FEET EAST FROM S¼ CORNER, SECTION 5
10	13 S	37 E	WM	32	SE SE		1080 FEET NORTH & 210 FEET WEST FROM SE CORNER, SECTION 32
12	14 S	37 E	WM	5	NE NE		490 FEET SOUTH & 790 FEET WEST FROM NE CORNER, SECTION 5
13	14 S	37 E	WM	5	SW SW		220 FEET NORTH & 840 FEET EAST FROM SW CORNER, SECTION 5
14	14 S	37 E	WM	5	SW SE		180 FEET NORTH & 290 FEET EAST FROM S1/4 CORNER, SECTION 5
15	14 S	37 E	WM	7	NE NE		940 FEET SOUTH & 190 FEET WEST FROM NE CORNER, SECTION 7

**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:

Twp	Rng	Mer	Sec	Q-Q
13 S	37 E	WM	16	NE NW
13 S	37 E	WM	21	SW SW
13 S	37 E	WM	22	SW SW
13 S	37 E	WM	32	SW SE
13 S	37 E	WM	32	SE SE
14 S	37 E	WM	5	NE NE
14 S	37 E	WM	5	SW SW
14 S	37 E	WM	5	SW SE
14 S *	37 E	WM	7	NE NE

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. 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.

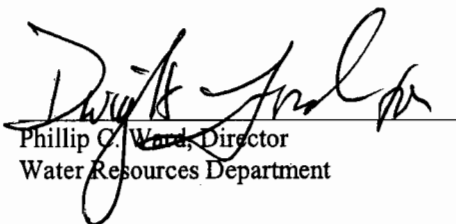
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations 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 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.

Issued DEC 16 2008

  
Phillip C. Ward, Director  
Water Resources Department