

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRANK L AND ODETTA F MILLER
2650 17TH ST
BAKER CITY OREGON 97814

AARON AND KRISTA SMITH
14783 COUNTRY LANE
BAKER CITY OREGON 97814

confirms the right to use the waters of A SUMP in the Powder River Basin for IRRIGATION OF 3.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 24.8 ACRES.

This right was perfected under Permit G-11267. The date of priority is DECEMBER 24, 1990. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.35 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The point of appropriation is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
8 S	39 E	WM	20	SE SW			1603 FEET SOUTH AND 1376 FEET EAST FROM W¼ CORNER, SECTION 20

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-EIGHTIETH 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 of each year.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
8 S	39 E	WM	20	SE SW			3.0

SUPERSEDED BY
CERT. NO. 85407

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.

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
8 S	39 E	WM	20	SW SW			8.2
8 S	39 E	WM	20	SE SW			16.6

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

When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

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.

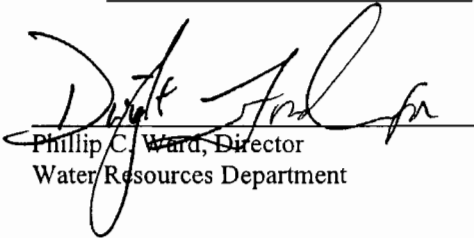
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

Issued FEB 27 2009


 Phillip C. Ward, Director
 Water Resources Department