

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DON R. STEPHENS
 RT 1 BOX 20
 HAINES OR 97833

confirms the right to use the waters of ROCK CREEK, tributary to the POWDER RIVER for IRRIGATION of 6.5 ACRES.

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 1882.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	38 E	WM	36	SW NW	ANDERSON MORRIS - 900 FEET NORTH AND 920 FEET EAST FROM THE W¼ CORNER OF SECTION 36

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 if available at the original authorized point of diversion: OWEN DITCH, or its equivalent in case of rotation measured at the point of diversion from the source and 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:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	38 E	WM	36	NW SE	6.0
7 S	38 E	WM	36	SE SE	0.5

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

When required by the Department, the water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate correctly describes that portion of the water right confirmed by Certificate 84857, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 13 2009 approving Transfer Application 10600.

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.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed JUL 13 2009.



Phillip C. Ward, Director *TCW*