

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GARY AND KAREN SUE WILDE
 18048 MIDDLE ROCK CREEK LANE
 ARLINGTON, OREGON 97812

confirms the right to use the waters of ROCK CREEK, tributary to the JOHN DAY RIVER, for SUPPLEMENTAL IRRIGATION OF 22.9 ACRES.

This right was perfected under Permit S-40939. The date of priority is JULY 23, 1976. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.57 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the original point of diversion (NE¼ SW¼, Section 3, T 1 S, R 21 E, W.M., 3050 feet South and 2200 feet East from the NW Corner of Section 3).

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	21 E	WM	3	SE SW	4420 FEET SOUTH AND 2400 FEET EAST FROM THE NW CORNER OF SECTION 3

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 1½ acre-feet per acre for each acre irrigated during the period from October 1 to March 31 and further limited to a diversion of not to exceed 4.0 acre feet per acre for each acre irrigated during any one year. The use of water authorized herein shall not establish priority of right as against future appropriations of surface water for beneficial uses or for storage for such beneficial uses, other than similar rights for irrigation from October 1 to March 31. Sufficient flow shall be left in Rock Creek to provide stock water throughout its course during the period of use authorized herein and may be made anytime between October 1 and March 31 that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season and 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:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	21 E	WM	3	SW NW	9.6
1 S	21 E	WM	3	SE NW	5.0
1 S	21 E	WM	3	NE SW	6.4
1 S	21 E	WM	3	NW SW	1.9

When required by the Department, the water user shall install and maintain a headgate, an inline flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This is a final 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 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 water user shall maintain and operate a fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's required screening and/or by-pass device operational and maintenance standards.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered JUN 25 2009, approving Transfer Application T-10654, and supersedes Certificate 49027, State Record of Water Right Certificates.

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 the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed JUN 25 2009.



Phillip C. Ward, Director