

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GUTIERREZ CATTLE COMPANY  
POST, OREGON 97754

confirms the right to use the waters of WATSON CREEK, TWO UNNAMED STREAMS and RABBIT VALLEY RESERVOIR CONSTRUCTED UNDER PERMIT R-2649, tributaries of the CROOKED RIVER, for SUPPLEMENTAL IRRIGATION OF 44.8 ACRES.

This right was perfected under Permit S-27516. The date of priority is FEBRUARY 27, 1961. The right is limited to an amount actually beneficially used and shall not exceed 1.12 CUBIC FEET PER SECOND (cfs); being 0.60 cfs from Watson Creek and reservoir, 0.39 cfs from east unnamed stream and 0.13 cfs from west unnamed stream, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

TWP	RNG	MER	SEC	Q-Q	MEASURED DISTANCES
16 S	22 E	W.M.	15	NE SE	EAST STREAM – 1550 FEET NORTH AND 2290 FEET EAST FROM N¼ CORNER OF SECTION 22
16 S	22 E	W.M.	15	NW SE	WEST STREAM – 1580 FEET NORTH AND 700 FEET EAST FROM N¼ CORNER OF SECTION 22
16 S	22 E	W.M.	22	SE SE	WATSON CREEK – 4420 FEET SOUTH AND 2490 FEET EAST FROM N¼ CORNER OF SECTION 22

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 (1/40) of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 4.0 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-2649.

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	ACRES
16 S	22 E	W.M.	22	Sw NE	1.0
16 S	22 E	W.M.	22	NE SE	26.0
16 S	22 E	W.M.	22	NW SE	17.8
<b>Total:</b>					<b>44.8</b>

This is a final order in other than 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 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

This certificate describes that portion of the water right MODIFIED by provisions of an order recorded at Special Order Volume 81, Pages 458 to 459, diminishing the right evidenced by Certificate 35823. This certificate together with Certificate 86220 supersedes Water Right Certificate 35823.

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.

WITNESS the signature of the Water Resources Director, affixed July 27 2010.

  
Phillip C. Ward, Director *for*

Mailing Date: JUL 27 2010