

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KIM AND MARY WERST
75365 LOWER DIAMOND LN
WALLOWA, OR 97885

WAYNE WERST
75545 LOWER DIAMOND LN
WALLOWA, OR 97885

confirms the right to use the waters of WALLOWA RIVER, tributary to GRANDE RONDE RIVER, for IRRIGATION of 113.0 ACRES AND DOMESTIC.

This right was perfected under Permit S-7637. The date of priority is JULY 16, 1926. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.57 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
1 N	42 E	WM	10	NW NE	WERST AKA PASTURE DITCH: 300 FEET SOUTH AND 850 FEET EAST FROM THE S¼ CORNER OF SECTION 3
1 N	42 E	WM	11	SW NW	WERST DOUGHERTY DITCH: 670 FEET SOUTH AND 990 FEET EAST FROM THE NW CORNER OF THE SW¼NW¼ OF SECTION 11

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, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Current Tax Lot	Owner
1 N	42 E	WM	3	SW SW	40.0	900	Wayne Werst
1 N	42 E	WM	3	SE SW	20.0	900	Wayne Werst
1 N	42 E	WM	4	SE SE	20.0	800	Kim and Mary Werst
1 N	42 E	WM	9	NE NE	6.0	800	Kim and Mary Werst
1 N	42 E	WM	10	NE NW	20.0	900	Wayne Werst
1 N	42 E	WM	10	NW NW	7.0	900	Wayne Werst

The water user shall maintain and operate fish screening and/or by-pass devices, as appropriate, at the points of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

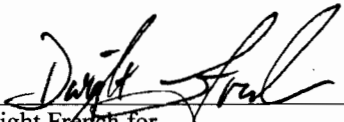
The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall

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.

maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered **JAN 28 2011** approving Transfer Application T-7742, and together with Certificate 86810 supersedes Certificate 9125, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed **JAN 28 2011** .



Dwight French for
PHILLIP C. WARD, DIRECTOR