

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD T D'EWART
LAZY S OVER SEVEN INC.
PO BOX 229
DURKEE OR 97905

confirms the right to use the waters of SISLEY OR BIRCH CREEK, tributary to BURNT RIVER for IRRIGATION of 24 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 8, at Page 134. The date of priority is 1880 FOR 10 ACRES, 1887 FOR 7 ACRES, AND 1894 FOR 7 ACRES.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.0 ACRE-FEET PER ACRE DURING ANY IRRIGATION SEASON (WITH THE FURTHER LIMITATIONS IN PARAGRAPH 64 OF SAID DECREE), 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 Distances
12 S	44 E	WM	9	SW SW	792 FEET NORTH & 924 FEET EAST FROM NE CORNER, SECTION 17

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
12 S	44 E	WM	8	SE SE	2.0
12 S	44 E	WM	9	NW SW	3.0
12 S	44 E	WM	9	SW SW	12.0
12 S	44 E	WM	17	NE NE	7.0

The quantity of water diverted from the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original points of diversion described as Bohna Ditch.

When required by the Department, the water user shall install and maintain a headgate, an in-line 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.

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered February 4, 1994, at Special Order Volume 48, Page 106, approving Transfer Application 6530, and supersedes Certificate 5831, 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 all other conditions and limitations contained in said decree.

Issued APR 20 2012



Dwight W. French
Water Rights Services Administrator, for
Phillip C. Ward, Director