

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DARYL ROBERTSON AND CAROL B WHITELEY
37206 BOULDER FLAT LN
HALFWAY OR 97834-8053

confirms the right to use the waters of PINE CREEK, tributary to SNAKE RIVER for IRRIGATION of 46.6 ACRES, LIVESTOCK AND DOMESTIC.

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 11, at Page 235. The date of priority is 1884. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.16 CUBIC FEET 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 Distances
7 S	46 E	WM	31	SW NW	400 FEET NORTH & 2240 FEET WEST FROM C1/4 CORNER, SECTION 31

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, measured at the point of diversion, and a total limitation of one acre-foot per acre during July, one acre-foot per acre during August, and one-half acre-foot per acre during September, of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	46 E	WM	31	SW SE	39.1
8 S	46 E	WM	6	NW NE	7.5

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 available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	46 E	WM	31	NE SW	1070 FEET SOUTH & 1020 FEET WEST FROM C1/4 CORNER, SECTION 31

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

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 137-003-0675, 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.

The water user shall operate and maintain the headgate and measuring device, as needed. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered April 23, 1997, at Special Order Volume 51, Page 395, approving Transfer Application 7606, and supersedes Certificate 10445, 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 Right Services Administrator, for
Phillip C. Ward, Director