

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RUSSELL JOHN MARCUM
43728 WINGVILLE CEMETRY RD
BAKER CITY OR 97814

confirms the right to use the waters of PINE CREEK, tributary to POWDER RIVER for IRRIGATION of 7.2 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 2, at Page 32. The dates of priority are 1880 for 2.2 acres and 1890 for 5.0 acres.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH OF ONE CUBIC FOOT PER SECOND PER ACRE; AND SHALL BE SUBJECT TO ALL OTHER CONDITIONS AND LIMITATIONS CONTAINED IN 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
8 S	39 E	WM	29	NE SW	1047 FEET NORTH & 1321 FEET EAST FROM S1/16 CORNER, BETWEEN SECTIONS 29 AND 30

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	39 E	WM	29	NE SW	7.2

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available from the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	39 E	WM	30	NW SE	BOWMAN-JEFFRIES DITCH - 2420 FEET NORTH & 154 FEET EAST FROM S1/4 CORNER, SECTION 30

When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate 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 PETITION FOR 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.

When required by the Department, 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.

Water shall be acquired from the same surface source as the original point of diversion.

The right to the use of the water for the above purpose is restricted to beneficial use on place of use described, and is subject to all other conditions and limitations contained in said decree.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JUNE 22, 1998, at Special Order Volume 52, Page 605, approving Transfer Application 7944, and together with Certificate 75726, supercedes Certificate 4448, State Record of Water Right Certificates.

JUN 20 2013

Issued _____.



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