

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NORTHWEST FARM CREDIT SERVICES, FLCA  
TIM L KERNS AND JANICE L KERNS  
3370 10<sup>TH</sup> ST STE B  
BAKER CITY OR 97814

confirms the right to use the waters of ROCK CREEK, tributary to POWDER RIVER for IRRIGATION of 10.0 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 6, at Page 291. The date of priority is 1868.

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, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	38 E	WM	34	SW NE	HUNSTOCK-MEYERS DITCH - 10 FEET NORTH AND 2 FEET EAST FROM SW CORNER, SWNE, SECTION 34
7 S	38 E	WM	34	NW SW	BROWN-DELONG DITCH - 3567 FEET SOUTH AND 5087 FEET WEST FROM THE NE CORNER, SECTION 34

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	39 E	WM	6	SE SW	10.0

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.

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.

The water user or irrigation district shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation district 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.

**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.

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 an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered OCTOBER 26, 1992, at Special Order Volume 46, Page 473, approving Transfer Application 6185, and together with Certificate 67789, supersedes Certificate 47674, State Record of Water Right Certificates.

Issued           OCT 11 2013          

A handwritten signature in black ink, appearing to read "Dwight W. French", is written over a horizontal line.

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