

STATE OF OREGON

COUNTY OF WHEELER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAN STUBBLEFIELD
47955 HWY 19
FOSSIL OR 97830

confirms the right to use the waters of BUTTE CREEK, tributary to JOHN DAY RIVER for IRRIGATION of 11.6 ACRES AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Wheeler County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 15, at Page 461. The date of priority is MARCH 1875.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH CUBIC FOOT PER SECOND (CFS) per acre irrigated to JUNE 1 and ONE-EIGHTIETH CFS per acre thereafter; further limited to 1.0 ACRE-FOOT per calendar month to JUNE 1, not to exceed a total of 4.0 ACRE-FEET per acre per year during the irrigation season APRIL 1 TO SEPTEMBER 30, 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
6 S	21 E	WM	34	SE SW	530 FEET NORTH AND 640 FEET WEST FROM S1/4 CORNER, SECTION 34

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	21 E	WM	34	SW SW	9.6
6 S	21 E	WM	34	SE SW	2.0

The quantity of water diverted at the new 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	GLot	Measured Distances
7 S	21 E	WM	3	NW NE	2	290 FEET SOUTH AND 630 FEET EAST FROM N 1/4 CORNER, SECTION 3

The water user shall maintain a fish screen or fish by-pass device, as appropriate, at the point of diversion.

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

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.

device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 28, 2005, at Special Order Volume 67, Page 465, approving Transfer Application 9882, and together with Certificate 81671, supercedes Certificate 46648, State Record of Water Right Certificates.

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.

Issued DEC 31 2013



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