

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RANDY AND LINDA JOSEPH
 37123 HANSEN LANE
 BAKER CITY OR 97814

confirms the right to use the waters of SUTTON CREEK, a tributary to POWDER RIVER, for IRRIGATION of 51.0 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 1884 for 11.0 acres, 1887 for 21.0 acres, and 1895 for 19.0 acres. The amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ONE-FORTIETH of one cubic foot per second per acre measured at the point of diversion; and shall be subject to all other conditions contain in said decree.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	40 E	WM	12	SE NW	1440 FEET SOUTH & 1970 FEET EAST FROM NW CORNER, SECTION 12

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres	Priority Date
10 S	40 E	WM	1	SW SW	0.2	1895
10 S	40 E	WM	12	NE NW	0.1	1895
10 S	40 E	WM	12	NW NW	3.9	1884
10 S	40 E	WM	12	NW NW	7.4	1895
10 S	40 E	WM	12	SW NW	6.3	1884
10 S	40 E	WM	12	SW NW	10.7	1887
10 S	40 E	WM	12	SE NW	0.8	1884
10 S	40 E	WM	12	SE NW	10.3	1887
10 S	40 E	WM	12	SE NW	11.3	1895

The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion: PALMER DENHAM NO. 1 (1884), DOUGHERTY DITCH NO. 2 (1887), AND PALMER DENHAM NO. 1 (1895).

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.

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

The water user shall maintain and operate fish screening or fish by-pass device as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered August 26, 2002, at Special Order Volume 56, Page 878, approving Transfer Application 8726, and together with Certificate 88899, supersedes Certificate 4113, State Record of Water Right Certificates.

Issued OCT 22 2013



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