

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CREEK BANK FARM, INC.
HCR 88 BOX 199
BAKER CITY, OR 97814

confirms the right to store water perfected under the terms of Permit R-11212. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-68696

SOURCE: LAWRENCE CREEK, A TRIBUTARY OF BURNT RIVER, AND EAST AND WEST FORKS OF LOVE CREEK AND RITTER CREEK, TRIBUTARIES OF POWDER RIVER

STORAGE FACILITY: LOVE RESERVOIR ENLARGEMENT

PURPOSE or USE: APPROPRIATED UNDER PERMIT S-50967 FOR SUPPLEMENTAL IRRIGATION

MAXIMUM STORAGE VOLUME: 350.0 ACRE FEET, BEING 10% FROM LAWRENCE CREEK, 40% FROM EAST FORK LOVE CREEK, 25% FROM WEST FORK LOVE CREEK AND 25% FROM RITTER CREEK

DATE OF PRIORITY: APRIL 20, 1986

The dam location is as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	42 E	WM	24	SW SW	420 FEET NORTH AND 730 FEET EAST FROM SW CORNER, SECTION 24

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
9 S	42 E	WM	24	S1/2 SW
9 S	42 E	WM	24	SW SE
9 S	42 E	WM	25	NW NE
9 S	42 E	WM	25	N1/2 NW

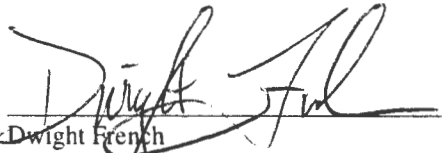
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

CONDITIONS OF USE

1. The storage of water allowed herein is subject to the maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Director to satisfy prior downstream rights.
2. The structure shall be operated and maintained in accordance with the approved plans and specifications and with the design intent.
3. The outlet gate shall be cycled at least once each year in order to assure smooth operation.
4. The embankment and spillway channel shall be kept clear of trees and brush and other debris.
5. The embankment shall be kept free of burrowing animals.
6. Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.
7. This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
8. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.
9. The storage of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department