

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS E. STRAUGHAN  
71592 STRAUGHAN ROAD  
PENDLETON OR 97801

confirms the right to use the waters of BIRCH CREEK, a tributary of the UMATILLA RIVER for IRRIGATION OF 29.02 ACRES AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1895. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.362 CUBIC FOOT PER SECOND, SUBJECT TO THE PROVISIONS OF PARAGRAPH 33 OF SAID DECREE AND ALL OTHER CONDITIONS AND LIMITATIONS CONTAINED IN SAID DECREE.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	32 E	WM	29	NW SE	POD No. 1 – GPS Coordinates: N. 45.6203°, W. -118.8358°

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION AND STOCK USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	32 E	WM	29	NW SE	20.00
2 N	32 E	WM	29	SW SE	4.52
2 N	32 E	WM	29	SE SE	4.50
TOTAL					29.02

Prior to October 1, 2016, 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 device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or 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.

Prior to October 1, 2016, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered DEC 15 2014, approving Transfer Application T-11553, and supersedes Certificate 2622, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed DEC 15 2014.



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