

STATE OF OREGON  
COUNTY OF BAKER  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SID JOHNSON  
NANCY JOHNSON  
3150 10<sup>TH</sup> ST  
BAKER CITY, OR 97814

confirms the right to use the waters of ALDER CREEK, A TRIBUTARY OF THE BURNT RIVER, FOR IRRIGATION OF 4.0 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 8, at Page 134. The date of priority is DECEMBER 12, 1903.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed THREE ACRE FEET PER ACRE DURING ANY IRRIGATION SEASON (with the further limitations contained in paragraph 64 of the decree), 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
10 S	41 E	WM	27	NE NE	170 FEET SOUTH AND 800 FEET WEST FROM NE CORNER, SECTION 27

A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	41 E	WM	26	NW NW	3.8
10 S	41 E	WM	27	NE NE	0.2

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of lawfully water available from the original point of diversion (Reservoir Ditch).

Water shall be acquired from the same surface water source as the original point of diversion.

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

**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 water user shall maintain a soil moisture monitoring program. The monitoring shall include soil moisture data collected by an 18" Tensiometer model 2900F (or other soil moisture monitoring device of similar or greater accuracy) at 9 inch and 18 inch depths, at weekly intervals, beginning one week prior to the irrigation season and continuing one past the end of the irrigation season. The Watermaster may, upon request, alter the measurement schedule.

The monitoring program shall include two paired sites and a control site. The paired sites shall consist of two measurement points located at 3 feet and 5 feet from the center of the tree. The control site shall consist of one measurement point in an area not affected by any irrigation. The sites shall be permanently marked with a metal stake or other suitable marker.

Monitoring and flow data shall be available to the Watermaster promptly upon request. The water user shall supply to the Watermaster an annual report of water use and monitoring data. Monitoring data shall be provided to the Watermaster in a reasonable summary format, approved by the Watermaster.

If water use under the irrigation system delivers water to areas not having a water right or areas having a water right not being honored, the Watermaster may regulate the water use until soil moisture and flow data demonstrate that the water is being delivered only to areas having a water right being honored.

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 changes in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered November 14, 1997, at Special Order Volume 51, Page 1274, approving Transfer Application 7469, and together with Certificate 75259, supercedes Certificate 5860, State Record of Water Right Certificates.

**MAY 15 2015**

Issued \_\_\_\_\_.



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