

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WESTERN HEIGHTS  
HOMEOWNERS ASSOCIATION  
PO BOX 334  
BAKER CITY OR 97814

confirms the right to the use of water perfected under the terms of Permit G-12850. 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.

SOURCE OF WATER: TWO WELLS IN THE POWDER RIVER BASIN

PURPOSE or USE: QUASI-MUNICIPAL USE

MAXIMUM RATE: 0.129 CUBIC FOOT PER SECOND

DATE OF PRIORITY: MAY 25, 1995

PERIOD OF USE: YEAR ROUND

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	39 E	WM	13	NE SW	WELL 1 - 676 FEET SOUTH AND 2314 FEET EAST FROM W1/4 CORNER, SECTION 13
9 S	39 E	WM	13	NE SW	WELL 2 - 683 FEET SOUTH AND 2320 FEET EAST FROM W1/4 CORNER, SECTION 13

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
9 S	39 E	WM	13	SW NE
9 S	39 E	WM	13	SW NW
9 S	39 E	WM	13	SE NW
9 S	39 E	WM	13	NE SW
9 S	39 E	WM	13	NW SE

**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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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.

This right is for the beneficial use of water without waste. The water user is advised that new regulation may require the use of best practical technologies or conservation practices to achieve this end.

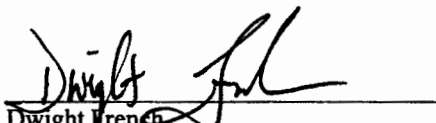
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 83873, and any related decree.

This certificate is issued to confirm a change in CHARACTER OF USE AND PLACE OF USE approved by an order of the Water Resources Director entered April 24, 2009, at Special Order Volume 77, Page 610, approving Transfer Application 9801, supercedes Certificate 83876, State record of Water Right Certificates.

Issued           JUN 24 2016          

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