

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KERNS RAINBOW RANCH, INC.
45917 QUAIL RD
HAINES OR 97833

confirms the right to the use of waters as limited and conditioned below. 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 points of diversion from the source.

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.

SOURCE OF WATER: ROCK CREEK, A TRIBUTARY OF THE POWDER RIVER

PURPOSE or USE: IRRIGATION OF 80.0 ACRES

MAXIMUM RATE: 2.0 CUBIC FEET PER SECOND

DATE OF PRIORITY: 1868 FOR 30.0 ACRES AND 1898 FOR 50.0 ACRES

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	38 E	WM	34	NE SW	HUNSTOCK – MEYERS DITCH (ADDITIONAL POD #2) - 2663 FEET SOUTH AND 2687 FEET WEST FROM NE CORNER, SECTION 34
7 S	38 E	WM	34	NW SW	BROWN – DELONG DITCH (ORIGINAL POD# 1) - 3567 FEET SOUTH AND 5087 FEET WEST FROM NE CORNER, SECTION 34

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to all other conditions and limitations contained in said decree.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres	Priority Date
8 S	38 E	WM	2	NE NE	20.0	1868
8 S	38 E	WM	2	NE NE	20.0	1898
8 S	38 E	WM	2	NW NE	10.0	1868
8 S	38 E	WM	2	NW NE	30.0	1898

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 water lawfully available at the original point of diversion.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered July 21, 2003, at Special Order Volume 57, Page 1094, approving Transfer Application 8206, supercedes Certificate 3998, State record of Water Right Certificates.

Issued AUG 26 2016 .



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