

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES E. KERNS
45298 POCAHONTAS RD
HAINES OR 97833

confirms the right to use the waters of ROCK CREEK, TRIBUTARY OF POWDER RIVER FOR IRRIGATION OF 98.0 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 STATE WATER BOARD of the State of Oregon, in Volume 6, at Page 291. The dates of priority are 1904 FOR 38.0 ACRES AND 1874 FOR 60.0 ACRES.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	38 E	WM	33	NW SE	WILCOX DITCH - 1580 FEET NORTH AND 1430 FEET WEST FROM SE CORNER, SECTION 33

The amount of water to which this right is entitled is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/40 of one cubic foot per second per acre; and shall be subject 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
8 S	38 E	WM	3	NE NE	40.0	1874
8 S	38 E	WM	3	NW NE	38.0	1904
8 S	38 E	WM	3	N1/2 SW NE	20.0	1874

The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water available at the old points of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	38 E	WM	33	NE SE	GEORGE (MCCULLOUGH) DITCH - 1700 FEET NORTH AND 224 FEET WEST FROM SE CORNER, SECTION 33
7 S	38 E	WM	33	NW SE	CHAMBERS DITCH - 1542 FEET NORTH AND 1732 FEET WEST FROM SE CORNER, SECTION 33

The diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the water user is entitled.


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 right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered SEPTEMBER 13, 1978, at Special Order Volume 31, Page 212, approving Transfer Application 3000, and together with Certificate 46852, supercedes Certificate 4341, State record of Water Right Certificates.

Issued APR 07 2017.



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