

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOYCE BROOKS
14926 HWY 26
MITCHELL OR 97750

confirms the right to the use of water perfected under the terms of Permit S-47328. 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: DRAW 1 AND WEST BRANCH BRIDGE CREEK, TRIBUTARIES OF BRIDGE CREEK (JOHN DAY RIVER)

PURPOSE OR USE: IRRIGATION OF 34.1 ACRES

MAXIMUM RATE: 0.85 CUBIC FOOT PER SECOND; BEING 0.72 CFS FROM WEST BRANCH BRIDGE CREEK FOR IRRIGATION, AND 0.13 CFS FROM DRAW 1 WHEN AVAILABLE, WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM DRAW 1 TO BE MADE UP BY APPROPRIATION FROM WEST BRANCH BRIDGE CREEK PROVIDED THAT THE TOTAL QUANTITY DIVERTED FROM BOTH SOURCES SHALL NOT EXCEED 0.13 CFS, FOR IRRIGATION

DATE OF PRIORITY: OCTOBER 19, 1982

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
11 S	20 E	WM	25	SW SW	13	BROOKS POD (NEW) - 20 FEET NORTH AND 950 FEET EAST FROM SW CORNER, SECTION 25
11 S	20 E	WM	25	SE SW	14	POD NO. 2 (ORIGINAL) (SOUTH SIDE OF DITCH) - 800 FEET NORTH AND 2030 FEET EAST FROM SW CORNER, SECTION 25
11 S	20 E	WM	25	NW SE	10	POD NO. 1 (ORIGINAL) - 1600 FEET NORTH AND 1950 FEET WEST FROM SE CORNER, SECTION 25

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	POD
11 S	20 E	WM	25	SW NE	7	6.9	POD NO. 2 (SOUTH SIDE) OR BROOKS POD
11 S	20 E	WM	25	NE SW	11	0.9	BROOKS POD ONLY
11 S	20 E	WM	25	SW SW	13	8.8	BROOKS POD ONLY
11 S	20 E	WM	25	SE SW	14	8.5	BROOKS POD ONLY
11 S	20 E	WM	25	NW SE	10	1.5	POD NO. 2 (SOUTH SIDE) OR BROOKS POD
11 S	20 E	WM	25	NW SE	10	1.5	BROOKS POD ONLY
11 S	20 E	WM	25	NW SE	10	5.0	POD NO. 1, WITH DIFICIENCY FROM BROOKS POD, AND DRAW 1
11 S	20 E	WM	25	SW SE	15	1.0	BROOKS POD ONLY

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	20 E	WM	35	SE NE	POD NO. 3 – 1750 FEET SOUTH AND 500 FEET WEST FROM NE CORNER, SECTION 35
11 S	20 E	WM	35	NW SE	POD NO. 4 – 3350 FEET SOUTH AND 2350 FEET WEST FROM NE CORNER, SECTION 35

The original POD:

When required by the Department, the water user shall install, maintain and operate 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 measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The new POD:

The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.

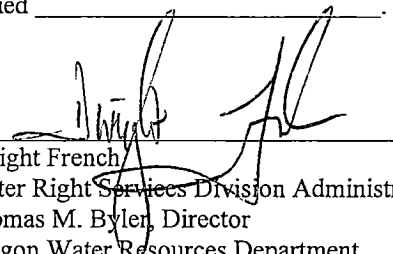
The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

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.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered June 2, 2010 at Special Order Volume 81, Page 13, approving Transfer Application 9891, and together with Certificate 92058, supercedes Certificate 82387, State record of Water Right Certificates.

AUG 24 2018

Issued _____


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