

STATE OF OREGON  
 COUNTY OF UMATILLA  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SAMUEL E. AND SARA J. TUCKER  
 DANIEL D. TUCKER  
 51332 PHILLIPS RD  
 MILTON FREEWATER OR 97862

confirms the right to use the waters of JOHNSON CREEK, A TRIBUTARY OF PINE CREEK for IRRIGATION of 34.8 ACRES AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 3, at Page 324. The date of priority is 1892.

The amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of flow of 0.437 CUBIC FOOT PER SECOND, or its equivalent in case of rotation.

The use hereunder for irrigation purposes shall conform to any reasonable rotation system ordered by the proper state officer.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	35 E	WM	29	SW NW	1320 FEET NORTH AND 10 FEET EAST FROM E1/4 CORNER, SECTION 30

A description of the place of use is as follows:

IRRIGATION AND LIVESTOCK					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	29	SW NW	34.8

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	35 E	WM	29	SW NW	660 FEET NORTH AND 1310 FEET EAST FROM E1/4 CORNER, SECTION 30

**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.

Water use measurement conditions:


- A. The water user shall maintain, in good working order, a totalizing flow meter or other suitable measuring device as approved by the Director at the point of diversion.
- B. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where any meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that the Oregon Water Resources Department (OWRD) regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

The right to use 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 a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered April 27, 2015, at Special Order Volume 95, Page 974, approving Transfer Application T-11859, and together with Certificate 90249, supercedes Certificate 1724, State record of Water Right Certificates.

Issued OCT 12 2018

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