

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PATRICK VOIGT
RICCO RANCH
PO BOX 397
PRAIRIE CITY OR 97869

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 point(s) of diversion from the source.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Grant County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 15, at Page 461.

SOURCE OF WATER: CLEAR CREEK, A TRIBUTARY OF MIDDLE FORK JOHN DAY RIVER

PURPOSE OR USE: IRRIGATION OF 26.9 ACRES

MAXIMUM RATE: 0.67 CUBIC FOOT PER SECOND

PERIOD OF USE: APRIL 1 THROUGH JULY 20 OF EACH YEAR

DATE OF PRIORITY: 1895

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	35 E	WM	28	NW SE	LOWER CLEAR CREEK DIVERSION (NEW) - 3000 FEET SOUTH AND 830 FEET EAST FROM N1/4 CORNER, SECTION 28

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 per acre irrigated to JUNE 1 and ONE-EIGHTIETH of one cubic foot per second per acre thereafter; further limited to 1.0 acre-foot per acre for each acre irrigated per calendar month to JUNE 1 and 3.25 acre-feet per acre during the irrigation season, APRIL 1 through JUNE 1, of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
11 S	35 E	WM	21	SE SW	11.1
11 S	35 E	WM	21	SW SE	4.6
11 S	35 E	WM	28	NE NW	11.2

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 totalizing flow meter, weir, parshall flume, long throat ramp flume, submerged orifice, flow restrictor or other suitable measuring device as approved by the Director in good working order at each new point of diversion.
- 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.

The water user shall maintain the headgate as required by the Department.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) 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 OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

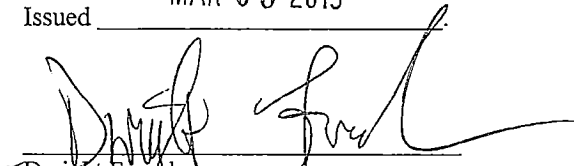
The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	35 E	WM	28	SW SE	ORIGINAL DIVERSION - 1130 FEET NORTH AND 1500 FEET WEST FROM SE CORNER, SECTION 28

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 MAY 9, 2017, at Special Order Volume 104, Page 858, approving Transfer Application 12528, supersedes Certificate 81696, State record of Water Right Certificates.

Issued MAR 08 2019


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