

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DONALD G. VOGEL
 KIMBERLEY D. VOGEL
 9500 NE MILL CREEK ROAD
 PRINEVILLE OR 97754

confirms the right to use the waters of MILL CREEK, A TRIBUTARY OF CROOKED RIVER for IRRIGATION OF 140.8 ACRES, AND STOCK AND DOMESTIC.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Crook County. The decree is of record at Salem, in the Order Record of the State Water Board in Volume 1, at Page 449. The date of priority is 1891.

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 reasonable amount for domestic and stock use, and 1.76 cubic feet per second (cfs) for irrigation, further limited to no more than 1.76 cfs from POD 1 and 0.73 cfs from POD 2, not to exceed a cumulative total of 1.76 cfs; the total quantity being limited to 4.0 acre feet per acre during each year. The use hereunder shall conform to any reasonable rotation system ordered by the proper state officer.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	17 E	WM	35	NW SE	POD 1 - 35 FEET SOUTH AND 80 FEET WEST FROM NE CORNER, NWSE, SECTION 35
14 S	17 E	WM	2	SE NW	POD 2 - 2010 FEET SOUTH AND 2390 FEET EAST FROM NW CORNER, SECTION 2

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use is as follows:

IRRIGATION, STOCK AND DOMESTIC USE							
POD#	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1	13 S	17 E	WM	35	SW NE		1.0
1	13 S	17 E	WM	35	SE SW		13.7
1	13 S	17 E	WM	35	NW SE		25.8
1	13 S	17 E	WM	35	SW SE		20.1
1	14 S	17 E	WM	2	NW NE	2	4.4
1, 2	14 S	17 E	WM	2	NW NE	2	4.9
1, 2	14 S	17 E	WM	2	SW NE		2.3
1	14 S	17 E	WM	2	NE NW	3	4.8
1, 2	14 S	17 E	WM	2	NE NW	3	25.7

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.

IRRIGATION, STOCK AND DOMESTIC USE							
POD#	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1, 2	14 S	17 E	WM	2	NW NW	4	10.4
1, 2	14 S	17 E	WM	2	SW NW		0.9
1, 2	14 S	17 E	WM	2	SE NW		26.8

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 each new point of diversion.
- B. The water user shall allow the watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the watermaster shall request access upon reasonable notice.

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

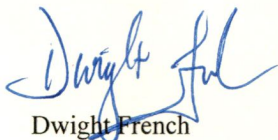
Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	17 E	WM	36	NW NW	JONES & FULLER DITCH - 800 FEET EAST FROM NW CORNER, SECTION 36

The water user shall operate and maintain the fish screen at the new point of diversion consistent with 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 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 changes in POINT OF DIVERSION and PLACE OF USE approved by an order of the Water Resources Director entered NOVEMBER 7, 2016, at Special Order Volume 103, Page 374, approving Transfer Application 12173, and together with Certificate 91711, supersedes Certificate 591, State Record of Water Right Certificates.

Issued MAR 05 2020.



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