

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KEN AND BOBBIE BAKER
81705 HWY 82
WALLOWA, OR 97885

PERRY JOHNSTON
81703 HWY 82
WALLOWA, OR 97885

confirms the right to use the waters of the LOSTINE RIVER (aka SOUTH FORK WALLOWA RIVER), a tributary to the WALLOWA RIVER for IRRIGATION of 70.8 ACRES, DOMESTIC AND STOCK.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at Pages 184-185. The date of priority is 1882 (TRACT 1).

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 1.16 CUBIC FEET PER SECOND. The amount of water to which this right is entitled for irrigation shall not exceed 1.0 acre foot per acre during any period of 30 days prior to July 31 of each year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in said decree.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	43 E	WM	9	SE NE	MILES DITCH – (ORIGINAL) LATITUDE: 45.494134; LONGITUDE: -117.438922
1 S	43 E	WM	4	NE SW	FOSTER DITCH (ADDITIONAL) - 320 FEET SOUTH AND 625 FEET WEST FROM C1/4 CORNER, SECTION 4; LATITUDE: 45.50716, LONGITUDE: -117.45096

A description of the place of use to which the water this right is appurtenant, is as follows:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
1 N	43 E	WM	32	NW SE	8600	36.0
1 N	43 E	WM	32	SW SE	8800	34.8

Water use measurement conditions:

- A. The Director may require the water users to install a totalizing flow meter or other suitable measuring devices at each point of re-diversion from the ditch to the pivots. If the Director notifies the water users to install totalizing flow meters or other measuring devices, the water users shall install such devices specified by the Director within the period allowed in the notice.
- B. The water user shall maintain the meters or other suitable measuring devices in good working order.

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.

- C. The water users 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 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 an ADDITIONAL POINT OF DIVERSION and finalization of a portion of allocation of conserved water application CW-111 which was approved by an order of the Water Resources Director entered DECEMBER 2, 2019, at Special Order Volume 114, Page 461, approving allocation of conserved water application CW-111, and together with Certificates 94782 and 94870, supersedes Certificate 94163, State Record of Water Right Certificates.

Issued JUL 31 2020.



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