

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CROOKED RIVER EAST LLC
ATTENTION: JOE PAPINEAU
40791 SE SHOTGUN RANCH RD
POST OR 97752

confirms the right to use the waters of SHOTGUN CREEK, a tributary of CROOKED RIVER, for IRRIGATION OF 10.0 ACRES.

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 Water Resources Director in Volume 1, at Page 449. The priority dates from the year 1889 for the waters of SHOTGUN CREEK.

The amount of water to which this right is entitled is limited to an amount actually beneficially used from February 1st to December 1st of each year, and shall not exceed 0.115 cubic foot per second or its equivalent in case of rotation, measured at the point of diversion on Shotgun Creek.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	20 E	WM	9	SE NW	SHOTGUN CREEK – POD 5 (ORIGINAL) - 1940 FEET SOUTH AND 100 FEET WEST FROM N1/4 CORNER, SECTION 9
17 S	20 E	WM	9	SW SW	POD 6 (ADDITIONAL) - 2150 FEET SOUTH AND 1030 FEET EAST FROM W1/4 CORNER, SECTION 9

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 to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	20 E	WM	7	NE NE	4.3
17 S	20 E	WM	8	NW NW	5.7

Water use measurement conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter or other suitable measuring device approved by the Director at the new point of diversion (POD 6).
- 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.

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.

The quantity of water diverted at the additional point of diversion (POD 6), together with that diverted at the original point of diversion (POD 5), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 5).

The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

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 ADDITIONAL POINT OF DIVERSION and PLACE OF USE approved by an order of the Water Resources Director entered OCTOBER 28, 2019, at Special Order Volume 114, Page 276, approving Transfer Application T-12990, and together with Certificate 94675, supersedes Certificate 89790, State Record of Water Right Certificates.

Issued **FEB 24 2021** _____.



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