

STATE OF OREGON
 COUNTY OF GRANT
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GORDON AND JULIE LARSON
 24335 HWY 395 SOUTH
 CANYON CITY OR 97820

confirms the right to use the waters of BERRY CREEK, tributary of CANYON CREEK and CANYON CREEK for IRRIGATION of 47.8 ACRES, DOMESTIC, AND STOCK.

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. The date of priority is JULY 3, 1883.

The amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.20 CUBIC FEET PER SECOND and shall not exceed 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 cubic foot per second per acre thereafter; further limited to 1.0 acre foot per calendar month to June 1 and 4.0 acre-feet per acre during the season April 1 to Sept. 30, measured at the point of diversion.

The maximum amount of water to be diverted from Berry Creek will be at a rate of 1.04 cubic foot per second (cfs) up to June 1st and 0.52 cfs to September 30th. The maximum amount of water to be diverted from Canyon Creek will be at a rate of 0.285 cfs up to June 1st and 0.183 cfs to September 30th.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	31 E	WM	35	SE NE	BERRY CREEK PUMP (NEW) – 140 FEET NORTH AND 170 FEET WEST FROM EAST 1/4 CORNER, SECTION 35
14 S	31 E	WM	35	SE NE	CANYON CREEK PUMP (NEW) – 140 FEET NORTH AND 190 FEET WEST FROM EAST 1/4 CORNER, SECTION 35

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

IRRIGATION, DOMESTIC, AND STOCK					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	31 E	WM	35	SE NE	0.4
14 S	31 E	WM	35	NE SE	0.5
14 S	31 E	WM	36	SW NW	24.7
14 S	31 E	WM	36	NE SW	0.1
14 S	31 E	WM	36	NW SW	14.8
14 S	31 E	WM	36	SW SW	7.3

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 the totalizing flow meter 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 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 points of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	31 E	WM	36	NW SE	UPPER BERRY CREEK
14 S	31 E	WM	36	NE SW	MIDDLE BERRY CREEK
14 S	31 E	WM	36	NW SW	LOWER BERRY CREEK
15 S	31 E	WM	1	NW NW	CANYON CREEK

The water user shall operate and maintain an approved fish screen at the new points of diversion. If Oregon Department of Fish and Wildlife (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.

To protect Canyon Creek water users, the watermaster staff must have access to the original (authorized) points of diversion to compare the amount of water that is available at the original points of diversion with what is being diverted from the authorized points of diversion. If access is restricted, a measuring device capable of continuous measurement and recording with telemetry may be required at the Berry Creek #2 point of diversion. The landowner will be notified by the Department prior to accessing the property. The landowner will provide the necessary information to access the property through the locked gates.

Watermaster office staff shall have unrestricted access during the irrigation season to the respective measuring devices at the authorized points of diversion.

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 POINTS OF DIVERSION and PLACE OF USE, approved by an order of the Water Resources Director entered MAY 14, 2020, at Special Order Volume 116, Page 761, approving Transfer Application T-12718, and together with Certificate 95724, supersedes Certificate 25341, State Record of Water Right Certificates.

Issued SEP 08 2021



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