

STATE OF OREGON
 COUNTY OF CROOK
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WAIBEL RANCHES LLC
 BOB WILLIAMS
 3672 SW JUNIPER CANYON RD
 PRINEVILLE OR 97754

confirms the right to the use of water perfected under the terms of Permit S-48863. 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. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: NORTH FORK CROOKED RIVER AND CROOKED RIVER, A TRIBUTARY OF DESCHUTES RIVER

PURPOSE OR USE: IRRIGATION OF 38.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 232.8 ACRES

MAXIMUM RATE: 3.56 CUBIC FEET PER SECOND (CFS); BEING 1.37 CFS FROM DIVERSION #1 (NORTH FORK), 3.56 CFS FROM DIVERSION 2A AND 3.56 CFS FROM DIVERSION 3A OR IN ANY COMBINATION NOT TO EXCEED A TOTAL OF 3.56 CFS, OR ITS EQUIVALENT IN CASE OF ROTATION MEASURED AT THE POINT OF DIVERSION FROM THE STREAM.

DATE OF PRIORITY: JULY 15, 1970

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	21 E	WM	5	NW NE	DIVERSION #1 (ORIGINAL) - 10 FEET SOUTH AND 2900 FEET EAST FROM NW CORNER, SECTION 5
17 S	21 E	WM	9	NE NE	DIVERSION 3A (NEW) - 880 FEET SOUTH AND 630 FEET WEST FROM NE CORNER, SECTION 9
17 S	21 E	WM	9	NE NW	DIVERSION 2A (NEW) - 820 FEET SOUTH AND 140 FEET WEST FROM N1/4 CORNER, SECTION 9

The amount of water used for irrigation, together with the amount of secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

A description of the place of use is as follows:

DIVERSION 2A AND 3A IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	21 E	WM	10	SE SE	1.3
17 S	21 E	WM	11	NW SW	27.5
17 S	21 E	WM	11	SW SW	9.5

DIVERSION 1 SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	21 E	WM	3	SW SW	1.2
17 S	21 E	WM	4	SW SW	4.8
17 S	21 E	WM	4	SE SW	22.1
17 S	21 E	WM	4	NE SE	6.0
17 S	21 E	WM	4	SW SE	2.4
17 S	21 E	WM	4	SE SE	15.5
17 S	21 E	WM	8	NE NW	0.8
17 S	21 E	WM	8	NW NW	15.1
17 S	21 E	WM	8	SW NW	0.2
17 S	21 E	WM	9	NE NW	6.3

DIVERSION 2A SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	21 E	WM	4	SW SE	26.1
17 S	21 E	WM	9	NW NE	13.1
17 S	21 E	WM	9	SE NW	8.7
17 S	21 E	WM	9	NE SW	0.2

DIVERSION 2A AND 3A SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	21 E	WM	9	NE NE	13.5
17 S	21 E	WM	9	SE NE	6.2
17 S	21 E	WM	9	NE NW	22.3
17 S	21 E	WM	9	NW NW	28.6
17 S	21 E	WM	10	NE NW	1.9
17 S	21 E	WM	10	NW NW	25.7
17 S	21 E	WM	10	SW NW	12.1

The quantity of water diverted at the new points of diversion (Diversion 2A and 3A), shall not exceed the quantity of water lawfully available at the original points of diversion (Diversion #1, #2, #3 and #4) described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	21 E	WM	4	SE SE	DIVERSION #3 - 60 FEET NORTH AND 600 FEET WEST FROM SE CORNER, SECTION 4
17 S	21 E	WM	8	NE NE	DIVERSION #4 - 2360 FEET NORTH AND 1310 FEET WEST FROM E1/4 CORNER, SECTION 8
17 S	21 E	WM	9	NW NE	DIVERSION #2 - 1870 FEET NORTH AND 2900 FEET EAST FROM W1/4 CORNER, SECTION 9

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring devices, 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 water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with Oregon Department of Fish and Wildlife's operational and maintenance standards.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. And is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

This certificate is issued to confirm a change in POINT OF DIVERSION and PLACE OF USE approved by an order of the Water Resources Director entered December 18, 2019, at Special Order Volume 114, Page 56, approving Transfer Application T-12404, and together with Certificate 94488, supercedes Certificate 55659, State record of Water Right Certificates.

SEP 09 2022

Issued _____.



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