

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOUIS E. MARKS
47740 ANTHONY LAKES HWY
NORTH POWDER, OR 97867

confirms the right to the use of water perfected under the terms of Permit S-6498. 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: SEEPAGE AND WASTE WATER FROM ADJOINING LANDS, AND SPRINGS CAUSED THEREBY, A TRIBUTARY OF NORTH POWDER RIVER

USE: SUPPLEMENTAL IRRIGATION OF 101.0 ACRES

MAXIMUM RATE: 0.56 CUBIC FOOT PER SECOND

PRIORITY DATE: AUGUST 11, 1924

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	38 E	WM	12	NE SW	POD #4 - 1389 FEET NORTH AND 3944 FEET WEST FROM SE CORNER, SECTION 12

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proposed state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the place of use is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	38 E	WM	11	NE SE	24.5
7 S	38 E	WM	12	NE SW	40.0
7 S	38 E	WM	12	NW SW	36.5

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 new point 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	Name
7 S	38 E	WM	11	SE SE	POD #3
7 S	38 E	WM	14	NW NE	POD #2
7 S	38 E	WM	14	SE NW	POD #1

Water use measurement conditions:

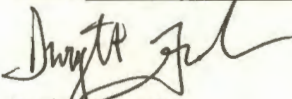
- a) The water user shall maintain the measuring device, in good working order, at each new point of diversion and at the location in the SESE of Section 11, Township 7 S, Range 38 East, W.M., as designed by the Watermaster.
- b) The water user shall allow the Watermaster access to the measuring device; provided however, where measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as many be caused by the severance therefrom of the property taken in accordance with the provisions of section 5273, Oregon Laws.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered April 5, 2018, at Special Order Volume 107, Page 1027, approving Transfer Application T-12665, and together with Certificate 93719, supersedes Certificate 7673, State record of Water Right Certificates.

Issued **MAY 12 2023**



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department