

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA MIANI
1630 PAULA DR
YUBA CITY CA 95993

BOND LIVING TRUST
41620 BURNT RANCH RD
MITCHELL OR 97750

confirms the right to the use of waters as limited and conditioned below. 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 of diversion from the source.

This right was confirmed by decree of the Circuit Court of the State of Oregon for WHEELER County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 12, at Page 388

SOURCE: BRIDGE CREEK, TRIBUTARY OF THE JOHN DAY RIVER

USE: IRRIGATION 40.9 ACRES

LIMIT/DUTY: The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed one-fortieth of one cubic foot per second per acre of land irrigated before June 15, and one-eightieth of one cubic foot per second per acre after June 15, during the irrigation season from March 1 to October 1 of each year, measured at the point of diversion from the stream.

PRIORITY DATE: 1865

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	20 E	WM	34	SW SW	JOHN DAY RIVER - 700 FEET NORTH AND 150 FEET EAST FROM SW CORNER, SECTION 34

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

Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	20 E	WM	34	SW SW	16.5
9 S	20 E	WM	34	SE SW	6.9
9 S	20 E	WM	34	SW SE	7.8
10 S	20 E	WM	3	NE NE	3.3
10 S	20 E	WM	3	NW NE	5.0

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.

Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	20 E	WM	3	NW NW	1.4

The quantity of water diverted at the new point of diversion (John Day River), shall not exceed the quantity of water lawfully available at the original point of diversion (Bridge Creek), described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	20 E	WM	3	NE NE	BRIDGE CREEK - 4485 FEET NORTH AND 960 FEET WEST FROM SW CORNER, SECTION 3

Water use measurement conditions:

- a) The water user shall maintain a 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 users shall allow the Watermaster access to the meter or measuring devices(s); provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.

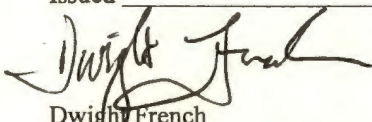
The water user shall operate and maintain the fish screen at the new point of diversion consistent with Oregon Department of Fish and Wildlife's (ODFW) operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that Oregon Water Resources Department (OWRD) regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

The former place of use shall no longer receive water under the right. In order for the full rate to be allocated under this right on the properties as described, the flow measured at Bridge Creek Gage 14046778 must exceed 1.78 cubic foot per second between March 1 and June 14 and 0.88 cubic foot per second between June 15 and October 1.

The right to the use of the 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 said decree.

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 June 21, 2019, at Special Order Volume 113, Page 440, approving Transfer Application T-12079, supersedes Certificate 79986, State record of Water Right Certificates.

Issued SEP 01 2023



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