

STATE OF OREGON

COUNTY OF Malheur

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

DAVID THOMAS
THOMAS, MICHELE
4593 JOHN DAY HWY
VALE, OR 97918

confirms the right to store the waters of AN UNNAMED STREAM IN HAYMAKER GULCH, A TRIBUTARY OF WILLOW CREEK IN HAYMAKER GULCH RESERVOIR for IRRIGATION.

The right to store and use these waters was perfected under Reservoir Application R-80186. The date of priority is January 1, 1993. The amount of water entitled to be stored and used each year under this right is not more than 15.9 ACRE-FEET

Located as follows:

SE 1/4 SW 1/4
SW 1/4 SE 1/4
SECTION 16
TOWNSHIP 17 SOUTH, RANGE 44 EAST, WM.

The storage of water allowed herein is subject to the maintenance of the 18-inch outlet conduit. The 18-inch diameter outlet conduit shall remain free of all obstructions and/or debris at all times to allow the unimpeded flow of water and to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

Routine maintenance of the dam, spillway and appurtenant structures shall be performed as necessary to remove trees, brush and debris, and to repair slumps, areas of erosion, or defective equipment.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

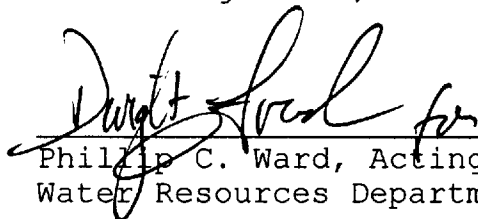
R-80186.GC

Certificate Number 71814

The structure shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director of the Water Resources Department or the Director's authorized representative. Except for routine repair and maintenance, plans and specifications prepared by an Oregon licensed engineer are required for any modification to the dam, spillway or appurtenant structures.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

Issued August 30, 2004.



Phillip C. Ward, Acting Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 71814.

R-80186.GC