

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PATRICK O'TOOLE
BOX 124
DREWSEY, OREGON 97904

confirms the right to use the waters of the MIDDLE FORK MALHEUR RIVER, a tributary of the MALHEUR RIVER, for the purpose of IRRIGATING 29.0 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for MALHEUR County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 8, at page 268. The date of priority is 1897.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.5 ACRE-FEET PER ACRE IN ANY 30-DAY PERIOD PRIOR TO JUNE 1ST; 1.0 ACRE-FOOT PER ACRE IN ANY 30-DAY PERIOD AFTER JUNE 1ST OF EACH YEAR; OR 3.0 ACRE-FEET PER ACRE DURING ANY SEASON, diverted at a rate not to exceed ONE-TWENTIETH of a cubic foot per second per acre.

The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water available at the original point of diversion under the subject right for the aforesaid 29.0 acres of land.

The point of diversion is located as follows:

NE 1/4 NW 1/4, SECTION 27, T 20 S, R 35 E, W.M.; 200 FEET SOUTH FROM THE NORTH 1/4 CORNER OF SECTION 27.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NE 1/4 NW 1/4	26.0 ACRES
NW 1/4 NW 1/4	2.0 ACRES
SE 1/4 NW 1/4	1.0 ACRE
SECTION 27	
TOWNSHIP 20 SOUTH, RANGE 35 EAST, W.M.	

The water user shall maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JANUARY 29, 1982, and together with Certificate 57594, supersedes Certificate 6900, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

SEE NEXT PAGE

T-4873.KDD

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 shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed MARCH 4, 1997.

/S/ Richard D. Bailey

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 74178.

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