

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DWAYNE BENNETT
653 OVERSTREET ROAD
NYSSA, OREGON 97913

confirms the right to use the waters of **THE OWYHEE RIVER**, tributary of THE SNAKE RIVER for the purpose of **SUPPLEMENTAL IRRIGATION of 55.9 acres.**

This right was perfected under Permit 1977. The date of priority is **MARCH 19, 1914**. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed **1.40 CUBIC FEET PER SECOND** or its equivalent in case of rotation.

The authorized point of diversion is located as follows:

821 feet East and 382 feet North of the NW corner of Section 5, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T. 20 S., R. 46 E., W.M.

Water must be available at the original point of diversion located as follows:

1226 FEET SOUTH and 696 FEET WEST of the NW corner of SECTION 5, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 6, T. 21 S., R 46 E., W.M.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

SW $\frac{1}{4}$ SW $\frac{1}{4}$	Tax Lot 7200	9.5	ACRES
SECTION 32			
TOWNSHIP 20 SOUTH, RANGE 46 EAST, W.M.			
Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)	Tax Lot 2400	26.6	ACRES
SECTION 5			
Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)	Tax Lot 2400	19.5	ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	Tax Lot 2400	0.3	ACRES
SECTION 6			
TOWNSHIP 21 SOUTH, RANGE 46 EAST, W.M.			

This Certificate describes the new location and type of use of the water right, and point of diversion confirmed by Certificate 2130 State Record of Water Right Certificates, modified by the provisions of orders of the Water Resources Director entered on November 14, 1995 and recorded in Special Order Volume 49, page 404 approving a change in point of diversion and entered on JAN 25 1999 approving a petition by the Owyhee Irrigation District under ORS 541.329.

SEE NEXT PAGE

2130.SLH

Recorded in State Record of Water Right Certificates numbered 75666.

The right to the use of the water for the above purposes is restricted to beneficial use on the lands or place of use herein described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream water rights.

The water user shall install, maintain, and operate fish screening to prevent fish from entering the diversion. The required screen is to be in place, functional, and approved by Oregon Department of Fish and Wildlife.

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

Witness the signature of the Water Resources Director, affixed 1/25/99



Martha O. Ragel, Director