

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD AND JEANETTE YTURRIONDOBEITIA
12 MILE RANCH
HC 77 BOX 120
FIELDS, OREGON 97710

confirms the right to use the waters of FIVE UNNAMED STREAMS, tributaries of BLUE MOUNTAIN DRAW, for IRRIGATION OF 45.9 ACRES.

This right was perfected under Permit 52302. The date of priority is JULY 12, 1988. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.76 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

UNNAMED STREAM NO. 1 - SE 1/4 NE 1/4, SECTION 23, TOWNSHIP 38 SOUTH, RANGE 40 EAST, W.M.; 3240 FEET NORTH AND 60 FEET WEST FROM THE SE CORNER OF SECTION 23;

UNNAMED STREAM NO. 1A - SW 1/4 NW 1/4, SECTION 24, TOWNSHIP 38 SOUTH, RANGE 40 EAST, W.M.; 3050 FEET NORTH AND 810 FEET EAST FROM THE SW CORNER OF SECTION 24;

UNNAMED STREAM NO. 1B - SW 1/4 NW 1/4, SECTION 24, TOWNSHIP 38 SOUTH, RANGE 40 EAST, W.M.; 2950 FEET NORTH AND 1040 FEET EAST FROM THE SW CORNER OF SECTION 24;

UNNAMED STREAM NO. 1C - NE 1/4 SW 1/4, SECTION 24, TOWNSHIP 38 SOUTH, RANGE 40 EAST, W.M.; 1580 FEET NORTH AND 1880 FEET EAST FROM THE SW CORNER OF SECTION 24; and

UNNAMED STREAM NO. 1D - SW 1/4 SE 1/4, SECTION 24, TOWNSHIP 38 SOUTH, RANGE 40 EAST, W.M.; 640 FEET NORTH AND 2920 FEET EAST FROM THE SW CORNER OF SECTION 24.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-SIXTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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:

NE 1/4 NE 1/4	25.0 ACRES
NW 1/4 NE 1/4	2.1 ACRES
SE 1/4 NE 1/4	10.7 ACRES
SECTION 25	
TOWNSHIP 38 SOUTH, RANGE 40 EAST, W.M.	

LOT 1 (NW 1/4 NW 1/4) 5.2 ACRES
LOT 2 (SW 1/4 NW 1/4) 2.9 ACRES
SECTION 30
TOWNSHIP 38 SOUTH, RANGE 41 EAST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

Failure to comply with any of the provision of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 flows.

The Director of the Water Resources Department finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

WITNESS the signature of the Water Resources Director, affixed JUNE 8, 2001.


Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 769555.