

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or 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.

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ESTILL J. ARRAND AND THOMAS E. DACUS
70343 GREENTREE ROAD
ELGIN, OREGON 97827

confirms the right to use the waters of FOUR SPRINGS AND A RESERVOIR, constructed under Permit R-6378, tributaries of the GRANDE RONDE RIVER, for DOMESTIC USE FOR THREE FAMILIES, STOCK, AND IRRIGATION OF 1.3 ACRES.

This right was perfected under Permit 39806. The date of priority is OCTOBER 16, 1974. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.048 CUBIC FOOT PER SECOND; BEING 0.033 CFS FOR IRRIGATION, 0.010 CFS FOR DOMESTIC USE, AND 0.005 CFS FOR STOCK USE, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NW 1/4 SW 1/4, SECTION 13; SE 1/4 NW 1/4, NE 1/4 SW 1/4, SECTION 14, T 1 N, R 40 E, W.M.; SPRING 1 - 2280 FEET NORTH AND 850 FEET EAST, SPRING 2 - 2100 FEET NORTH AND 3050 FEET WEST, SPRING 3 - 2060 FEET NORTH AND 3110 FEET WEST, SPRING 4 - 2300 FEET NORTH AND 2930 FEET WEST, RESERVOIR - 2900 FEET NORTH AND 3500 FEET WEST, ALL FROM THE SE CORNER, SECTION 14.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a ONE-FORTIETH 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 3 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:

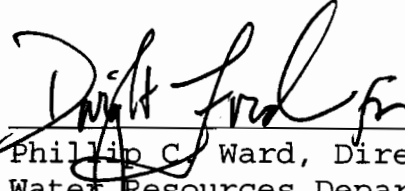
SE 1/4 NW 1/4 DOMESTIC AND STOCK
NE 1/4 SW 1/4 1.3 ACRES, DOMESTIC, AND STOCK
 SECTION 14
 TOWNSHIP 1 NORTH, RANGE 40 EAST, W.M.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE LOCATION OF THE RESERVOIR AND SUPERSEDES CERTIFICATE 65002.

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.

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. 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.

Issued MAY 26, 2005.


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81382.

S-52512.LHN