

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 BENTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON DEPARTMENT OF FISH AND WILDLIFE
3406 CHERRY AVENUE NE
SALEM, OREGON 97303

confirms the right to use the waters of SURFACE RUNOFF, STORED IN PHEASANT FARM RESERVOIR, CONSTRUCTED UNDER PERMIT R-7933, a tributary of SOAP CREEK, for WATERFOWL HABITAT AND FISH REARING.

This right was perfected under Permit 44403. The date of priority is AUGUST 8, 1979. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 40.0 ACRE FEET OF STORED WATER ONLY, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 NW 1/4, SECTION 17, T 10 S, R 4 W, W.M.; SOUTH 79° EAST, 1800 FEET FROM THE NW CORNER, SECTION 17.

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

S-59188.LHN

CERTIFICATE NUMBER 81444

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

LOT 4 (SE 1/4 SW 1/4)
SECTION 8

NE 1/4 NW 1/4
SECTION 17


TOWNSHIP 10 SOUTH, RANGE 4 WEST W.M.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE LOCATION OF THE PLACE OF USE AND SUPERSEDES CERTIFICATE 54219.

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 JUNE 30, 2005.


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81444.

S-59188.LHN