

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.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PERNOLL RANCH, LLC
PO BOX 35
SUMMER LAKE, OREGON 97640

This Certificate confirms the right to use the waters perfected under the terms of the Permit. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed the amount described, or its equivalent in case of rotation, measured at the point of diversion from the source. The specific limits and conditions of this right are listed below.

APPLICATION FILE NUMBER: 74086

PERMIT NUMBER: 53047

SOURCE OF WATER: JOHNSON CREEK, A TRIBUTARY TO SUMMER LAKE

PURPOSE OR USE: PRIMARY IRRIGATION OF 288.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 19.8 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 1.8 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 27, 1994

POINT OF DIVERSION LOCATION: SW 1/4 NE 1/4, SECTION 34, TOWNSHIP 29 SOUTH, RANGE 17 EAST, W.M.; 30 FEET NORTH AND 1667 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 34.

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Certificate Number 81543

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

		<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4	SE 1/4	40.0 ACRES	
NW 1/4	SE 1/4	10.8 ACRES	
SW 1/4	SE 1/4	10.0 ACRES	
SE 1/4	SE 1/4	40.0 ACRES	
SECTION 34			
NW 1/4	SW 1/4	7.3 ACRES	
SW 1/4	SW 1/4	23.0 ACRES	
SECTION 35			
TOWNSHIP 29 SOUTH, RANGE 17 EAST, W.M.			
LOT 4 (NW 1/4	NW 1/4)	20.7 ACRES	8.4 ACRES
SW 1/4	NW 1/4	4.5 ACRES	11.2 ACRES
NW 1/4	SW 1/4	1.2 ACRES	0.2 ACRE
SECTION 2			
LOT 1 (NE 1/4	NE 1/4)	39.7 ACRES	
LOT 2 (NW 1/4	NE 1/4)	16.5 ACRES	
SW 1/4	NE 1/4	24.9 ACRES	
SE 1/4	NE 1/4	29.0 ACRES	
NE 1/4	SE 1/4	20.4 ACRES	
SECTION 3			
TOWNSHIP 30 SOUTH, RANGE 17 EAST, W.M.			

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- 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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

STANDARD CONDITIONS

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

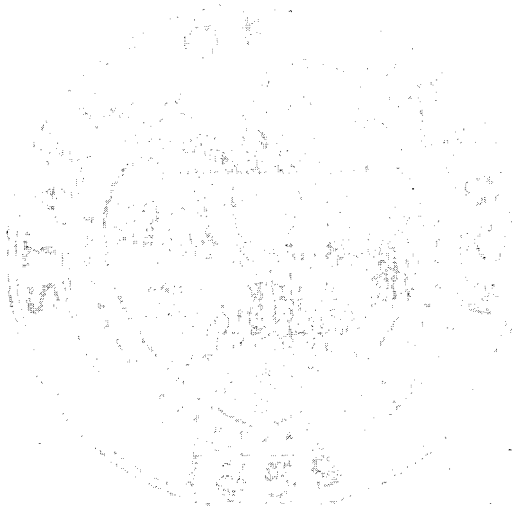
The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

Issued July 20, 2005.


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81543.

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