

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 UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GARY ARSENAULT
IRENE ARSENAULT
31223 BAGGETT
HERMISTON, OR 97838

BEN STARTT
DEBBIE STARTT
80973 ALPINE RD.
HERMISTON, OR 97838

DENNIS A. CLARK
81005 ALPINE DR.
HERMISTON, OR 97838

~~SUPERSEDED BY
CERT. NO. / /~~

confirms the right to use the waters of A WELL in the UMATILLA RIVER BASIN for IRRIGATION OF 16.55 ACRES.

This right was perfected under Permit G-11281. The date of priority is APRIL 25, 1991. This right is limited to 0.207 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SW 1/4 SE 1/4, SECTION 26, TOWNSHIP 5 NORTH, RANGE 28 EAST, W.M.;
560 FEET NORTH AND 60 FEET EAST FROM S 1/4 CORNER OF SECTION 26.

SUPERSEDED BY
CERT. NO. 88703 82724

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 diversion of ONE-EIGHTIETH 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.

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

SW 1/4 SE 1/4 16.55 ACRES
SECTION 26
TOWNSHIP 5 NORTH, RANGE 28 EAST, W.M.

The source of water allowed herein shall be limited to the basalt aquifer below the depth of the alluvial gravels.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. When required by the Department, the water user shall install and maintain a weir, meter or other suitable measuring device and shall keep a complete record of the amount of ground water withdrawn.

The Department may require water level or pump test results every ten years.

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.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

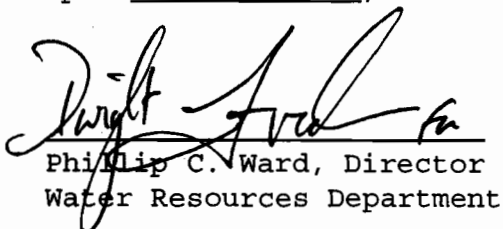
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

WITNESS the signature of the Water Resources Director affixed

April 28, 2006.


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81968.