

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 HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS AND BARBARA HOWARD
P.O. BOX 196
DREWSEY, OR 97904

confirms the right to use the waters of THREE (3) WELLS in the MALHEUR LAKE BASIN for IRRIGATION OF 270.2 ACRES.

This right was perfected under Permit G-10396. The date of priority is SEPTEMBER 29, 1983, FOR 2.45 CUBIC FEET PER SECOND (CFS) AND JANUARY 9, 1984, FOR 0.83 CFS. This right is limited to not more than 3.28 CFS; BEING 1.69 CFS FROM WELL 1, 1.42 CFS FROM WELL 2, AND 2.85 CFS FROM WELL 3, IN ANY COMBINATION, or its equivalent in case of rotation, measured at the points of appropriation from the source.

The wells are located as follows:

WELL 1 - SW 1/4 NE 1/4, SECTION 36, T 24 S, R 33 E, W.M.; 1350 FEET SOUTH AND 1310 FEET EAST FROM THE N1/4 CORNER OF SECTION 36.

WELL 2 - SW 1/4 SE 1/4, SECTION 25, T 24 S, R 33 E, W.M.; 1270 FEET NORTH AND 1300 FEET EAST FROM THE S1/4 CORNER OF SECTION 25.

WELL 3 - SW 1/4 SE 1/4, SECTION 25, T 24 S, R 33 E, W.M.; 100 FEET NORTH AND 100 FEET EAST FROM THE S1/4 CORNER OF SECTION 25.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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 SE 1/4	32.0 ACRES
NW 1/4 SE 1/4	32.8 ACRES
SW 1/4 SE 1/4	35.6 ACRES
SE 1/4 SE 1/4	34.4 ACRES

SECTION 25

NE 1/4 NE 1/4	32.6 ACRES
NW 1/4 NE 1/4	33.0 ACRES
SW 1/4 NE 1/4	34.0 ACRES
SE 1/4 NE 1/4	34.4 ACRES
NE 1/4 SE 1/4	0.7 ACRES
NW 1/4 SE 1/4	0.7 ACRES

SECTION 36

TOWNSHIP 24 SOUTH, RANGE 33 EAST, W.M.

The quantity of water diverted at the new point of appropriation, together with the quantity diverted from the original points of appropriation (WELL 1 and WELL 2), shall not exceed the quantity of water lawfully available from the original points of appropriation.

When required by the Department, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. The type and plans of the measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered SEPTEMBER 13, 2004, and supersedes Certificate 60976, State Record of Water Right Certificates.

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

WITNESS the signature of the Water Resources Director,

affixed SEP 01 2006.

A handwritten signature in cursive script, appearing to read "Phillip C. Ward", is written over a horizontal line.

Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates numbered 82154.

T-9670.GEC