

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 GRANT

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

INGLE BUTTE RANCHES, INC.
PO BOX 308
MT VERNON, OREGON 97865

confirms the right to use the waters of INGLE CREEK, HARPER CREEK, AND RESERVOIRS 1, 2, 3, AND 4, tributaries of JOHN DAY RIVER, for IRRIGATION OF 7.5 ACRES; BEING 7.2 ACRES FROM INGLE CREEK AND HARPER CREEK, IRRIGATION OF 0.3 ACRE FROM HARPER CREEK, AND SUPPLEMENTAL IRRIGATION OF 35.8 ACRES; BEING 7.2 ACRES FROM RESERVOIRS 1 AND 3, 0.3 ACRE FROM RESERVOIR 2, AND 28.3 ACRES FROM RESERVOIR 1.

This right was perfected under Permit 46298. The date of priority is NOVEMBER 4, 1980. The amount of water to which this right is entitled to is limited to an amount actually beneficially used and shall not exceed 0.19 CUBIC FOOT PER SECOND (CFS); BEING 0.10 CFS FROM HARPER CREEK AND 0.09 CFS FROM INGLE CREEK, AND 4.69 ACRE-FEET (AF) OF STORED WATER FOR SUPPLEMENTAL IRRIGATION FROM RESERVOIRS 1, 2, 3, AND 4; BEING 1.38 AF FROM RESERVOIR 1, 0.81 AF FROM RESERVOIR 2, 1.2 AF FROM RESERVOIR 3, AND 1.3 AF FROM RESERVOIR 4, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion (POD) are located as follows:

POD # 1 (HARPER CREEK): SW 1/4 NE 1/4, SECTION 16, T 14 S, R 30 E, W.M.; 1670 FEET SOUTH AND 1020 FEET EAST FROM THE NORTHEAST CORNER, SECTION 16.

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POD # 2 (INGLE CREEK): NE 1/4 NW 1/4, SECTION 3, T 14 S, R 30 E, W.M.; 10 FEET SOUTH AND 600 FEET WEST FROM THE N 1/4 CORNER, SECTION 3.

RESERVOIR 1: NW 1/4 NE 1/4, SECTION 33, T 13 S, R 30 E, W.M.

RESERVOIR 2: NW 1/4 NE 1/4, SECTION 33, T 13 S, R 30 E, W.M.

RESERVOIR 3: SW 1/4 NE 1/4, SECTION 33, T 13 S, R 30 E, W.M.

RESERVOIR 4: SW 1/4 SE 1/4, SECTION 33, T 13 S, R 30 E, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre from direct flow and stored water from four reservoirs constructed under Permit R-8335 and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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

PRIMARY IRRIGATION FROM POD 1 AND POD 2

NW 1/4 NE 1/4	5.2 ACRES
SW 1/4 NE 1/4	2.0 ACRES
SECTION 33	

PRIMARY IRRIGATION FROM POD 1

NW 1/4 NE 1/4	0.3 ACRE
SECTION 33	

SUPPLEMENTAL IRRIGATION FROM RESERVOIR 1

SW 1/4 SE 1/4	20.4 ACRES
SE 1/4 SE 1/4	0.2 ACRE
SECTION 28	

NE 1/4 NE 1/4	1.2 ACRES
NW 1/4 NE 1/4	6.5 ACRES
SECTION 33	

SUPPLEMENTAL IRRIGATION FROM RESERVOIR 2

NW 1/4 NE 1/4	0.3 ACRE
SECTION 33	

SUPPLEMENTAL IRRIGATION FROM RESERVOIRS 1, 3 AND 4

NW 1/4 NE 1/4 5.2 ACRES
SW 1/4 NE 1/4 2.0 ACRES

SECTION 33

TOWNSHIP 13 SOUTH, RANGE 30 EAST, W.M.

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.

WITNESS the signature of the Water Resources Director,
affixed SEP 25 2006.


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82289.

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