

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 WHEELER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LUREN O. MALEY, LLC
60 NW SHASTA PLACE
BEND, OREGON 97701

confirms the right to use the waters of COTTONWOOD CREEK AND SPRING, tributaries of BUTTE CREEK, for IRRIGATION OF 3.5 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for GRANT County. The decree is of record at Salem, in the Order of Record of the WATER RESOURCES DIRECTOR, in Volume 15, at Page 461. The date of priority is 1882.

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

POD 4: NW 1/4 NW 1/4, SECTION 16, T 7 S, R 21 E, W.M.; 690 FEET SOUTH AND 230 FEET EAST FROM THE NW CORNER, SECTION 16.

POD 5: NW 1/4 NW 1/4, SECTION 16, T 7 S, R 21 E, W.M.; 1180 FEET SOUTH AND 180 FEET EAST FROM THE NW CORNER, SECTION 16.

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-FORTIETH of one cubic foot per second per acre irrigated from April 1 to September 30; further limited to one acre-foot per acre per calendar month to July 1 and 3/4 acre-foot per acre thereafter; total five acre-feet per season, (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: CLOEMAN WELCH DITCH: SW 1/4 SW 1/4, SECTION 9, NW 1/4 SW 1/4, SECTION 16, AND SW 1/4 SW 1/4, SECTION 16, T 7 S, R 21 E, W.M.), measured at the point of diversion.

T-4678.JWG

Certificate Number 82302

The quantity of water diverted at the new points of diversion shall not exceed the quantity of water available at the original point of diversion under the subject right.

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

NW 1/4 NW 1/4 2.2 ACRES

SW 1/4 NW 1/4 0.2 ACRE

SECTION 16

NE 1/4 NE 1/4 0.9 ACRE

SE 1/4 NE 1/4 0.2 ACRE

SECTION 17

TOWNSHIP 7 SOUTH, RANGE 21 EAST, W.M.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the water user is entitled;

the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

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 and is subject to all other conditions and limitations contained in the decree.

This certificate is issued to confirm a change in POINTS OF APPROPRIATION AND PLACE OF USE approved by an order of the Water Resources Director entered MAY 13, 1981, approving Transfer Application T-4678, and supersedes Certificate 25990, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed

SEP 08 2006


Phillip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82302

T-4678.JWG