

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 HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JULIAN R. ZIMMERMAN
35049 N. HARNEY Lane
BURNS, OREGON 97720

confirms the right to use the waters of SOLDIER CREEK AND ARMSTRONG CANYON CREEK, tributaries of MALHEUR LAKE, for IRRIGATION OF 96.0 ACRES, BEING 88.0 ACRES FROM SOLDIER CREEK AND 8.0 ACRES FROM ARMSTRONG CANYON CREEK.

This right was perfected under Permit 48440. The date of priority is NOVEMBER 23, 1983. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.30 CUBIC FOOT PER SECOND (CFS), being 2.10 CFS from Soldier Creek and 0.20 from Armstrong Canyon Creek, or its equivalent in case of rotation, measured at the points of diversion from the sources.

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

SOLDIER CREEK, POD 1, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T 22 S, R 32 E, W.M.;
1630 FEET NORTH AND 2450 FEET WEST FROM THE SE CORNER, SECTION 9.

SOLDIER CREEK, POD 2, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T 22 S, R 32 E, W.M.;
500 FEET NORTH AND 2330 FEET WEST FROM THE SE CORNER, SECTION 9.

SOLDIER CREEK, POD 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 16, T 22 S, R 32 E, W.M.;
1560 FEET SOUTH AND 1550 FEET WEST FROM THE NE CORNER, SECTION
16.

SOLDIER CREEK, POD 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 16, T 22 S, R 32 E, W.M.;
2575 FEET SOUTH AND 970 FEET WEST FROM THE NE CORNER, SECTION 16.

ARMSTRONG CANYON CREEK, POD 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 16, T 22 S, R 32
E, W.M.; 1550 FEET NORTH AND 750 FEET EAST FROM THE SW 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 ONE-FORTIETH 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.

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

SOLDIER CREEK

NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.1 ACRE
SE $\frac{1}{4}$ SW $\frac{1}{4}$	7.2 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.1 ACRE
SW $\frac{1}{4}$ SE $\frac{1}{4}$	7.3 ACRES

SECTION 9

NW $\frac{1}{4}$ NE $\frac{1}{4}$	17.3 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	14.8 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.7 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.5 ACRE
NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.4 ACRE
NW $\frac{1}{4}$ SE $\frac{1}{4}$	15.4 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	17.2 ACRES

SECTION 16

ARMSTRONG CANYON CREEK

SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.9 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	2.1 ACRES

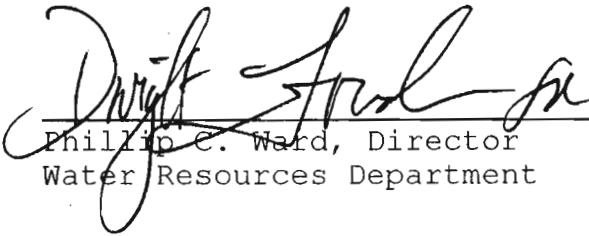
SECTION 16

TOWNSHIP 22 SOUTH, RANGE 32 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.

WITNESS the signature of the Water Resources Director, affixed

OCT 27 2006


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 82396.

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