

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

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FARRELL LEMONS
PO BOX 387
MT. VERNON, OREGON 97865

INGLE BUTTE RANCHES, INC.
PO BOX 408
MT. VERNON, OREGON 97865

confirms the right to use the waters of LUCE CREEK, JENKINS CREEK AND LEMONS CREEK(aka MOTHERS CREEK), tributaries of the SILVIES RIVER, for irrigation of 95.9 acres.

This right was perfected under Permit 34339. The date of priority is AUGUST 8, 1969. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.40 CUBIC FOOT PER SECOND (CFS), BEING 0.96 CFS FROM LUCE CREEK, 1.24 CFS FROM JENKINS CREEK, AND 0.20 CFS FROM LEMONS CREEK, or its equivalent in case of rotation, measured at the point of diversions from the sources.

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

LUCE CREEK (POD 1): SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 20, T 15 S, R 30 E, W.M.;
625 FEET NORTH AND 1100 FEET WEST FROM THE SE CORNER, SECTION 20.

LUCE CREEK (POD 2): NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, T 15 S, R 30 E, W.M.;
280 FEET SOUTH AND 740 FEET EAST FROM THE NW CORNER, SECTION 28.

JENKINS CREEK (POD 3): SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, T 15 S, R 30 E, W.M.;
2520 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER, SECTION 28.

JENKINS CREEK (POD 4): NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 29, T 15 S, R 30 E, W.M.;
2710 FEET SOUTH AND 10 FEET WEST FROM THE NE CORNER, SECTION 29.

LEMONS CREEK (POD 5): SW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 21, T 15 S, R 30 E, W.M.;
1320 FEET NORTH AND 3360 FEET EAST FROM THE SW CORNER, SECTION
21.

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 4.0 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:

LUCE CREEK

POD 1

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.3 ACRES
SECTION 21

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.8 ACRE
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 20.8 ACRES
SECTION 28

POD 2

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.5 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.7 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.2 ACRES
SECTION 28

JENKINS CREEK

POD 3

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.4 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.1 ACRE
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 21.2 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.4 ACRES
SECTION 28

POD 4

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 9.2 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 9.3 ACRES
SECTION 28

LEMONS CREEK

POD 5

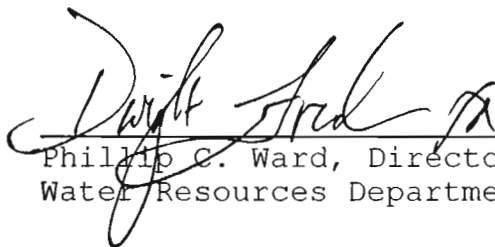
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 8.0 ACRES

SECTION 21

TOWNSHIP 15 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 **OCT 06 2006**



Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 82468.

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