

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

MARVIN L. HALSTEAD
HC 69 BOX 878
MITCHELL, OREGON 97750

confirms the right to use the waters of the WEST BRANCH, a tributary of BRIDGE CREEK, for IRRIGATION OF 7.6 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for WHEELER COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 12, at Page 388. The date of priority is 1872.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE-FORTIETH ONE CUBIC FOOT PER SECOND PER ACRE IRRIGATED BEFORE JUNE 15, and ONE-EIGHTIETH OF ONE CUBIC FOOT PER SECOND AFTER JUNE 15, during the irrigation season from March 1 to October 1 of each year (if available at the original point of diversion, E.W. Taylor Ditch, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 3, T 12 S, R 20 E, W.M.), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 35, T 11 S, R 20 E, WM; 820 FEET NORTH AND 620 FEET WEST FROM THE S $\frac{1}{4}$ CORNER, SECTION 35.

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

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.0 ACRES

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.6 ACRES

SECTION 35

TOWNSHIP 11 SOUTH, RANGE 20 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 wateruser 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 quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original point of diversion under the subject right.

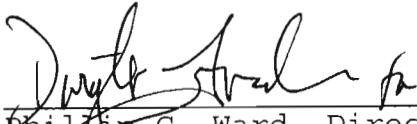
This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 26, 1986, approving Transfer Application 5738, together with an order of the Water Resources Director entered NOVEMBER 25, 1986 approving Transfer Application 5788, and Certificate 82495, supersedes Certificate 53608, State Record of Water Right Certificates.

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 said decree.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed

NOV 03 2006


Philip C. Ward, Director
Water Resources Department

OFFICE

Recorded in State Record of Water Right Certificates Number 82493.

T-5738.LHN