

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 MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRIAN AND JAN M CARMICHAEL
1796 4TH AVE E
VALE, OREGON 97918

NORTHWEST FARM CREDIT SERVICES FLCA
PO BOX 279
ONTARIO, OREGON 97914

confirms the right to use the waters of THREE WELLS in the MALHEUR BASIN for IRRIGATION OF 286.6 ACRES.

This right was perfected under Permit G-7152. The date of priority is JANUARY 26, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.34 CUBIC FOOT PER SECOND (CFS), BEING 0.62 CFS FROM WELL # 1 FOR IRRIGATION OF 131.5 ACRES, 1.46 CFS FROM WELL 10, AND 0.26 CFS FROM WELL 12 FOR IRRIGATION OF 155.1 ACRES; or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL # 1: NE 1/4 SW 1/4, SECTION 22, T 19 S, R 44 E, W.M.; 3400 FEET SOUTH AND 1540 FEET EAST FROM NW CORNER, SECTION 22.

WELL # 10: NE 1/4 SW 1/4, SECTION 34, T 19 S, R 44 E, W.M.; 1480 FEET NORTH AND 1530 FEET EAST FROM SW CORNER, SECTION 34.

WELL # 12: SE 1/4 NE 1/4, SECTION 3, T 20 S, R 44 E, W.M.; 1320 FEET SOUTH AND 125 FEET WEST FROM NE CORNER, SECTION 3.

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-EIGHTIETH 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:

WELL 1

NE 1/4 SW 1/4	10.2 ACRES
NW 1/4 SW 1/4	8.9 ACRES
SW 1/4 SW 1/4	36.6 ACRES
SE 1/4 SW 1/4	39.0 ACRES
SW 1/4 SE 1/4	1.1 ACRES

SECTION 22

NE 1/4 NW 1/4	18.6 ACRES
NW 1/4 NW 1/4	17.1 ACRES

SECTION 27

WELLS 10 AND 12

NE 1/4 SW 1/4	1.9 ACRES
NW 1/4 SW 1/4	2.8 ACRES
SW 1/4 SW 1/4	13.9 ACRES
SE 1/4 SW 1/4	10.6 ACRES
NE 1/4 SE 1/4	11.2 ACRES
NW 1/4 SE 1/4	32.2 ACRES
SW 1/4 SE 1/4	24.3 ACRES
SE 1/4 SE 1/4	7.4 ACRES

SECTION 34

TOWNSHIP 19 SOUTH, RANGE 44 EAST, W. M.

NW 1/4 NW 1/4	0.1 ACRE
LOT 4 (SW 1/4 NW 1/4)	12.9 ACRES
NW 1/4 SW 1/4	10.7 ACRES

SECTION 2

WELLS 10 AND 12
LOT 1 (NE 1/4 NE 1/4) 19.2 ACRES
SE 1/4 NE 1/4 7.9 ACRES
SECTION 3
TOWNSHIP 20 SOUTH, RANGE 44 EAST, W. M.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

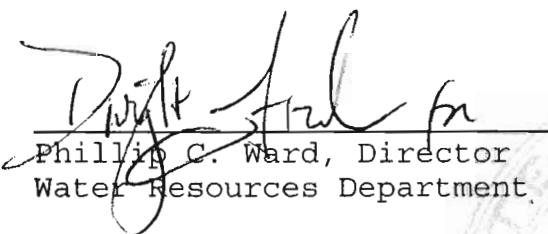
The works shall include an airline and pressure gauge or an access port for a measuring line, adequate to determine the water level elevation in the well at all times.

The water user shall maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The right to use 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

JAN 19 2007


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates numbered 82594.

G-7664.JWG