

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 LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES R. AND MARY DIANE ELDER
RT. 1, BOX 290
PAISLEY, OREGON 97636

confirms the right to use the waters of UNNAMED SPRING, a tributary of SUMMER LAKE, for DOMESTIC USE FOR TWO HOUSEHOLDS, STOCK WATER, AND IRRIGATION OF 77.4 ACRES.

This right was perfected under Permit 41431. The date of priority is DECEMBER 19, 1973. This right is limited to 1.92 CUBIC FEET PER SECOND (CFS), BEING 0.01 CFS FOR DOMESTIC USE FOR HOUSEHOLDS; 0.01 CFS FOR STOCK; AND 1.9 CFS FOR IRRIGATION, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NW 1/4, SECTION 17, T 33 S, R 17 E, W.M.; 1490 FEET SOUTH AND 3100 FEET WEST FROM NE CORNER, SECTION 17.

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 (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year, provided further that the water user shall maintain adequate measuring devices and make a record of the maximum amount of water available and appropriated to beneficial use. The record shall be furnished the Water Resources Director within 30 days after the close of the irrigation season in which such maximum use is made.

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

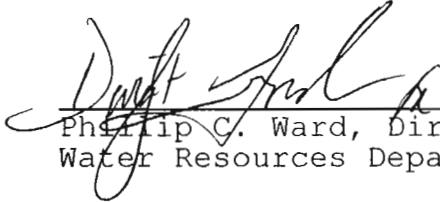
NW 1/4 NE 1/4	29.6 ACRES
SW 1/4 NE 1/4	23.6 ACRES, DOMESTIC 1 HOUSEHOLD, & STOCK WATER
NE 1/5 SW 1/4	1.5 ACRES
NW 1/4 SE 1/4	22.7 ACRES & DOMESTIC 1 HOUSEHOLD, & STOCK WATER

SECTION 9

TOWNSHIP 33 SOUTH, RANGE 17 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 **DEC 06 2006**



Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82679.

S-51563.JWG