

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

RATTLESNAKE CREEK LAND AND CATTLE COMPANY, LLC
PO BOX 946
BURNS, OREGON 97720

confirms the right to use the waters of 3 WELLS in the MALHEUR LAKE BASIN for IRRIGATION OF 304.6 ACRES and SUPPLEMENTAL IRRIGATION OF 128.1 ACRES.

This right was perfected under Permit G-9419. The date of priority is April 10, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 5.41 CUBIC FEET PER SECOND (CFS), BEING 3.13 CFS FROM WELL 1 FOR IRRIGATION OF 250.0 ACRES, 0.71 CFS FROM WELL 2 FOR IRRIGATION OF 52.4 ACRES and SUPPLEMENTAL IRRIGATION OF 4.7 ACRES, 1.57 CFS FROM WELL 3 FOR THE IRRIGATION OF 2.2 ACRES and SUPPLEMENTAL IRRIGATION OF 123.4 ACRES, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL 1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1330 FEET SOUTH AND 65 FEET EAST FROM THE NW CORNER, SECTION 9.

G-10268.LHN

CERTIFICATE NUMBER 82846

WELL 2 - SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 2407 FEET SOUTH AND 1732 FEET WEST FROM THE NE CORNER, SECTION 9.

WELL 3 - SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1306 FEET NORTH AND 1416 FEET WEST FROM THE SE CORNER, SECTION 9.

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	
		PRIMARY	SUPPLEMENTAL
NE $\frac{1}{4}$	NE $\frac{1}{4}$	29.9 ACRES	
SE $\frac{1}{4}$	NE $\frac{1}{4}$	30.3 ACRES	
SECTION 8			
NW $\frac{1}{4}$	NW $\frac{1}{4}$	32.8 ACRES	
SW $\frac{1}{4}$	NW $\frac{1}{4}$	33.9 ACRES	
SE $\frac{1}{4}$	NW $\frac{1}{4}$	0.2 ACRE	
NE $\frac{1}{4}$	SW $\frac{1}{4}$	29.1 ACRES	
NW $\frac{1}{4}$	SW $\frac{1}{4}$	33.7 ACRES	
SW $\frac{1}{4}$	SW $\frac{1}{4}$	32.6 ACRES	
SE $\frac{1}{4}$	SW $\frac{1}{4}$	27.5 ACRES	
SECTION 9			
		WELL 2	
SW $\frac{1}{4}$	NE $\frac{1}{4}$	22.6 ACRES	
SE $\frac{1}{4}$	NW $\frac{1}{4}$	24.3 ACRES	
NE $\frac{1}{4}$	SW $\frac{1}{4}$	5.5 ACRES	
NW $\frac{1}{4}$	SE $\frac{1}{4}$		4.7 ACRES
SECTION 9			

WELL 3

	PRIMARY	SUPPLEMENTAL
SW¼ NE¼	0.1 ACRE	
SE¼ NE¼	0.1 ACRE	
NE¼ SW¼	0.1 ACRE	
SE¼ SW¼	0.1 ACRE	
NE¼ SE¼	1.8 ACRES	28.1 ACRES
NW¼ SE¼		32.9 ACRES
SW¼ SE¼		33.2 ACRES
SE¼ SE¼		29.2 ACRES

SECTION 9
TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

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

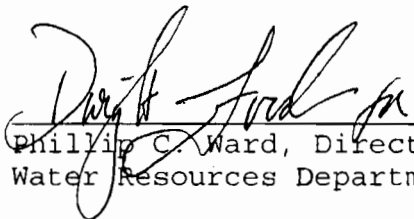
The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine the water level elevation in the wells at all times

The water user shall install and 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

OCT 27 2006


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82846.

G-10268.LHN