

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN M PEILA JR
PO BOX 806
BURNS OR 97720

confirms the right to use the waters of AN UNNAMED STREAM, LOST CREEK, AND FOSTER SPRINGS, TRIBUTARIES OF WILSON CREEK, for IRRIGATION of 106.8 ACRES AND LIVESTOCK.

This right was perfected under Permit S-46965. The date of priority is OCTOBER 11, 1978. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.68 CUBIC FEET PER SECOND (CFS), BEING 0.43 CFS FROM AN UNNAMED STREAM FOR IRRIGATION OF 17.2 ACRES, 1.76 CFS FROM LOST CREEK FOR IRRIGATION OF 70.3 ACRES, 0.48 CFS FROM FOSTER SPRINGS FOR IRRIGATION OF 19.3 ACRES, AND 0.01 CFS FROM FOSTER SPRINGS FOR LIVESTOCK, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion (POD) is located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
UNNAMED STREAM	25 S	23 E	WM	14	NE SW	2220 FEET NORTH AND 2900 FEET WEST FROM SE CORNER, SECTION 14
LOST CREEK	25 S	23 E	WM	34	NW NE	1300 FEET SOUTH AND 1400 FEET WEST FROM NE CORNER, SECTION 34
FOSTER SPRINGS	25 S	23 E	WM	34	NE SE	3050 FEET SOUTH AND 100 FEET WEST FROM NE CORNER, SECTION 34

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 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. 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.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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.

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

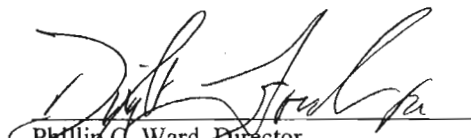
IRRIGATION						
POD	Twp	Rng	Mer	Sec	Q-Q	Acres
UNNAMED STREAM	25 S	23 E	WM	14	NE SW	9.20
UNNAMED STREAM	25 S	23 E	WM	14	NW SW	8.00
LOST CREEK	25 S	23 E	WM	15	NE SE	0.10
LOST CREEK	25 S	23 E	WM	15	SE SE	1.20
LOST CREEK	25 S	23 E	WM	26	NE NW	9.50
LOST CREEK	25 S	23 E	WM	26	NW NW	5.80
LOST CREEK	25 S	23 E	WM	26	SW NW	8.00
LOST CREEK	25 S	23 E	WM	27	SE NE	7.20
LOST CREEK	25 S	23 E	WM	27	NE SE	10.10
LOST CREEK	25 S	23 E	WM	27	NW SE	4.00
LOST CREEK	25 S	23 E	WM	27	SW SE	11.80
LOST CREEK	25 S	23 E	WM	27	SE SE	0.10
FOSTER SPRINGS	25 S	23 E	WM	34	NE NE	0.20
LOST CREEK	25 S	23 E	WM	34	NW NE	12.50
FOSTER SPRINGS	25 S	23 E	WM	34	SW NE	1.40
FOSTER SPRINGS	25 S	23 E	WM	34	SE NE	12.50
FOSTER SPRINGS	25 S	23 E	WM	34	NE SE	5.20

LIVESTOCK						
POD	Twp	Rng	Mer	Sec	Q-Q	Acres
FOSTER SPRINGS	25 S	23 E	WM	34	NE SE	0.00

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.

FEB 02 2007

WITNESS the signature of the Water Resources Director, affixed _____.


 Phillip C. Ward, Director
 Water Resources Department