

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LYTLE A SIMMS  
PO BOX 326  
LAKEVIEW OR 97630

confirms the right to use the waters of FOUR DRAINAGES AND CLOVER CREEK, TRIBUTARIES OF CROOKED CREEK, for IRRIGATION of 124.7 ACRES.

This right was perfected under Permit S-46294. The date of priority is DECEMBER 4, 1981. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.12 CUBIC FEET PER SECOND (CFS), BEING 0.23 CFS FROM DRAINAGE 1, 0.23 CFS FROM DRAINAGE 2, 0.23 CFS FROM DRAINAGE 3, 0.28 CFS FROM DRAINAGE 4, AND 2.15 CFS FROM CLOVER CREEK, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
DRAINAGE 1	36 S	21 E	WM	21	SE NW	1650 FEET SOUTH & 1930 FEET EAST FROM NW CORNER, SECTION 21
DRAINAGE 2	36 S	21 E	WM	21	NW SW	3900 FEET SOUTH & 1130 FEET EAST FROM NW CORNER, SECTION 21
DRAINAGE 3	36 S	21 E	WM	28	NW NW	1000 FEET SOUTH & 970 FEET EAST FROM NW CORNER, SECTION 28
DRAINAGE 4	36 S	21 E	WM	29	SE SE	720 FEET NORTH & 340 FEET WEST FROM SE CORNER, SECTION 29
CLOVER CREEK	36 S	21 E	WM	32	NW NE	600 FEET SOUTH & 2070 FEET WEST FROM NE CORNER, SECTION 32

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 1.5 acre-feet per acre for each acre irrigated during the period from October 1 to March 31. The use allowed herein may be made anytime between October 1 and March 31, that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.

**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.

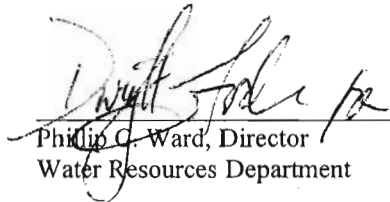
A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	21 E	WM	16	NE SW	1.20
36 S	21 E	WM	16	NW SW	2.60
36 S	21 E	WM	16	SW SW	38.30
36 S	21 E	WM	16	SE SW	5.50
36 S	21 E	WM	17	NE SE	2.10
36 S	21 E	WM	17	SE SE	39.70
36 S	21 E	WM	20	NE NE	25.00
36 S	21 E	WM	21	NE NW	3.90
36 S	21 E	WM	21	NW NW	6.40

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 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 JAN 26 2007

  
Phillip C. Ward, Director  
Water Resources Department