

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ANDREW H RUSTAN
12971 HWY 395
LAKEVIEW OR 97630

confirms the right to use the waters of TANDY CREEK, POND 1 AND POND 3 CONSTRUCTED UNDER PERMIT R-8477, TRIBUTARIES OF GOOSE LAKE, for IRRIGATION of 76.6 ACRES.

This right was perfected under Permit S-46923. The date of priority is MAY 17, 1982. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.92 CFS or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

	Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
TANDY CREEK (1)	40 S	20 E	WM	36	SW SE	3	180 FEET NORTH AND 2260 FEET WEST FROM SE CORNER, SECTION 36
TANDY CREEK (2)	40 S	20 E	WM	35	SE SE	5	1320 FEET NORTH AND 450 FEET WEST FROM SE CORNER, SECTION 35
TANDY CREEK (3)	40 S	20 E	WM	36	SE SW	2	550 FEET NORTH AND 2860 FEET WEST FROM SE CORNER, SECTION 36
TANDY CREEK (4)	40 S	20 E	WM	36	SE SW	2	100 FEET NORTH AND 2650 FEET WEST FROM SE CORNER, SECTION 36
POND 1	40 S	20 E	WM	36	SE SW	2	770 FEET NORTH AND 2850 FEET WEST FROM SE CORNER, SECTION 36
POND 3	40 S	20 E	WM	35	SE SE	5	1150 FEET NORTH AND 600 FEET WEST FROM SE CORNER, SECTION 35

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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-8477.

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	GLot	Acres
40 S	20 E	WM	35	SE SW		7.50
40 S	20 E	WM	35	SW SE		38.60
40 S	20 E	WM	35	SE SE	5	14.20
40 S	20 E	WM	36	SE SW	2	5.50
40 S	20 E	WM	36	SW SE	3	5.20
41 S	20 E	WM	1	NW NE	2	5.60

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 **MAR 16 2007**.


Phillip C. Ward, Director
Water Resources Department