

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ESTATE OF LEWIS BRATTON
MITCHELL STAR ROUTE
SPRAY OREGON 97874

confirms the right to store water perfected under the terms of Permit R-9252. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-66894

SOURCE: CARY CREEK AND TAMARACK CREEK, TRIBUTARIES OF SHOOFLY CREEK

PURPOSE or USE: STORAGE FOR IRRIGATION, APPROPRIATED UNDER PERMIT 48131

MAXIMUM STORAGE VOLUME: 6.0 ACRE FEET (AF), BEING 6.0 AF FROM CARY CREEK WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM CARY CREEK TO BE MADE UP BY STORAGE FROM TAMARACK CREEK

DATE OF PRIORITY: SEPTEMBER 27, 1983

The points of diversion from TAMARACK CREEK are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2	10 S	23 E	WM	5	NE SW	1120 FEET SOUTH AND 920 FEET WEST FROM THE CENTER OF SECTION 5
3	10 S	23 E	WM	5	NE SW	1170 FEET SOUTH AND 910 FEET WEST FROM THE CENTER OF SECTION 5

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
10 S	23 E	WM	5	NE SW

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

The right to store and use the water for the above purpose is restricted to beneficial use at the 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.

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Phillip C. Ward, Director
Water Resources Department