

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LEUDEN AND NANCY BENNETT
88900 DREWS GAP LANE
LAKEVIEW OREGON 97630

confirms the right to use the waters of an UNNAMED STREAM AND P & E RESERVOIR, CONSTRUCTED UNDER PERMIT R-10906, tributaries of ANTELOPE CREEK, FOR MAINTAINING P & E RESERVOIR FOR RECREATION AND IRRIGATION of 28.19 ACRES.

This right was perfected under Permit 50260. The date of priority is FEBRUARY 26, 1988. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.15 CUBIC FOOT PER SECOND FROM THE UNNAMED STREAM FOR MAINTAINING P & E RESERVOIR FOR RECREATION AND 8.0 ACRE FEET FROM P & E RESERVOIR FOR IRRIGATION, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
DAM	39 S	18 E	WM	9	SE SW	670 FEET NORTH AND 310 FEET WEST FROM S¼ CORNER, SECTION 9
PUMP	39 S	18 E	WM	9	SE SW	401 FEET NORTH AND 516 FEET WEST FROM S¼ 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 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.

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	18 E	WM	9	SW SW	0.20
39 S	18 E	WM	9	SE SW	8.20
39 S	18 E	WM	16	NE NW	16.30

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.

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	18 E	WM	16	NW NW	0.39
39 S	18 E	WM	16	SE NW	3.10

RECREATION					
Twp	Rng	Mer	Sec	Q-Q	
39 S	18 E	WM	9	SE SW	

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.

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 plans.

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.

JUN 13 2008

Issued _____.


 Phillip C. Ward, Director
 Water Resources Department