

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

U.S. BUREAU OF LAND MANAGEMENT
74 SOUTH ALVORD STREET
BURNS OR 97720

confirms the right to store water perfected under the terms of Permit R-11117. 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-69381

SOURCE: AN UNNAMED TRIBUTARY OF WILDCAT CREEK

STORAGE FACILITY: DUSTY CHECK DAM RESERVOIR (10-5643)

PURPOSE or USE: LIVESTOCK USE

MAXIMUM STORAGE VOLUME: 0.19 ACRE-FOOT

DATE OF PRIORITY: SEPTEMBER 28, 1987

DAM LOCATION IS AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
31 S	37 E	WM	28	NE SW	1400 FEET NORTH & 1800 FEET EAST FROM SW CORNER, SECTION 28

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
31 S	37 E	WM	28	NE SW

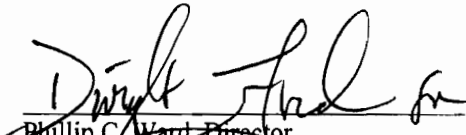
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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.

CONDITIONS OF USE

1. The storage of water allowed herein is subject to the maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Director to satisfy prior downstream rights.
2. This right is for the beneficial use of water without waste.
3. 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.

Issued **DEC 26 2008**


Phillip C. Ward, Director
Water Resources Department