

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

U.S. BUREAU OF LAND MANAGEMENT
HC 74-12533 HWY 20 W
HINES OR 97738

confirms the right to store water perfected under the terms of Permit R-11173. 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-69344

SOURCE: AN UNNAMED STREAM, A TRIBUTARY OF WILDCAT CREEK

STORAGE FACILITIES: FOXTAIL (10-5626) RESERVOIR AND SNOW MELT (10-5627) RESERVOIR

PURPOSE or USE: LIVESTOCK AND WILDLIFE

MAXIMUM STORAGE VOLUME: 0.26 ACRE-FOOT (AF) TOTAL; BEING 0.19 AF IN SNOW MELT RESERVOIR AND 0.07 AF IN FOXTAIL RESERVOIR

DATE OF PRIORITY: SEPTEMBER 28, 1987

DAM LOCATIONS ARE AS FOLLOWS:

RESERVOIR	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
SNOW MELT	32 S	37 E	WM	5	NW NE	720 FEET SOUTH AND 1800 FEET WEST FROM NE CORNER, SECTION 5
FOXTAIL	32 S	37 E	WM	5	SE NE	1420 FEET SOUTH AND 1220 FEET WEST FROM NE CORNER, SECTION 5

The areas submerged by these reservoirs are as follows:

RESERVOIR	Twp	Rng	Mer	Sec	Q-Q
SNOW MELT	32 S	37 E	WM	5	NW NE
FOXTAIL	32 S	37 E	WM	5	SE NE

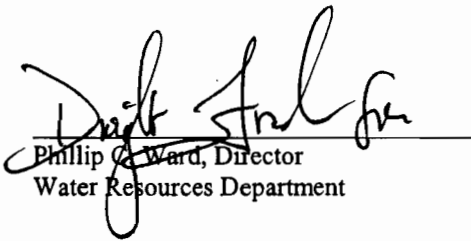
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
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.
4. The storage 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.
5. Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

Issued **DEC 26 2008**



Phillip C. Ward, Director
Water Resources Department