

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HARVEY RANCH INC.
44326 HIGHWAY 31
PAISLEY OR 97636

confirms the right to use the waters of WOOLEY CREEK AND HARVEY CREEK, tributaries of SUMMER LAKE, for IRRIGATION of 481.6 ACRES.

This right was perfected under Permit 47968. The date of priority is SEPTEMBER 27, 1983. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 12.04 CUBIC FEET PER SECOND (CFS), BEING 5.32 CFS FROM HARVEY CREEK AND 6.72 CFS FROM WOOLEY CREEK, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
1-WOOLEY CREEK	33 S	17 E	WM	5	NW SW		1550 FEET NORTH & 690 FEET EAST FROM SW CORNER, SECTION 5
2-WOOLEY CREEK	33 S	17 E	WM	5	NW SW		1430 FEET NORTH & 600 FEET EAST FROM SW CORNER, SECTION 5
3-WOOLEY CREEK	33 S	17 E	WM	5	SW SW		1200 FEET NORTH & 570 FEET EAST FROM SW CORNER, SECTION 5
4-HARVEY CREEK	33 S	17 E	WM	6	NE NW		50 FEET SOUTH & 1650 FEET WEST FROM NW CORNER, SECTION 6
5-HARVEY CREEK	33 S	17 E	WM	6	NW NW		850 FEET SOUTH & 1280 FEET EAST FROM NW CORNER, SECTION 6
6-HARVEY CREEK	32 S	17 E	WM	31	SE SW	2	200 FEET NORTH & 1000 FEET WEST FROM S¼ CORNER, SECTION 31
7-WOOLEY CREEK	33 S	17 E	WM	5	SW NW		1100 FEET NORTH & 1000 FEET EAST FROM W¼ CORNER, SECTION 5
8-WOOLEY CREEK	33 S	17 E	WM	5	SW NW		50 FEET NORTH & 900 FEET EAST FROM W¼ CORNER, SECTION 5

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 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 3.0 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 -WOOLEY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
33 S	17 E	WM	5	NW NE	2		3.4
33 S	17 E	WM	5	SW NE	2		18.4
33 S	17 E	WM	5	NE NW	3		15.8
33 S	17 E	WM	5	NW NW	4		24.2
33 S	17 E	WM	5	SW NW			40.0
33 S	17 E	WM	5	SE NW			40.0
33 S	17 E	WM	5	NE SW			26.7
33 S	17 E	WM	5	NW SW			34.0
33 S	17 E	WM	5	NW SE			13.9
33 S	17 E	WM	6	NE NE	1		12.5
33 S	17 E	WM	6	SE NE			33.5
33 S	17 E	WM	6	NE SE			6.4

IRRIGATION -HARVEY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
32 S	17 E	WM	31	NE SW	2		8.0
32 S	17 E	WM	31	NW SW	1		23.4
32 S	17 E	WM	31	SW SW	1		33.4
32 S	17 E	WM	31	SE SW	2		36.8
32 S	17 E	WM	31	SW SE	2		14.8
33 S	17 E	WM	6	NE NE	1		14.2
33 S	17 E	WM	6	NW NE	2		38.8
33 S	17 E	WM	6	SW NE			8.0
33 S	17 E	WM	6	SE NE			3.0
33 S	17 E	WM	6	NE NW			28.4
33 S	17 E	WM	6	NW NE			4.0

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.

The right to the use of the water for the above purpose is restricted to beneficial use without waste 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.

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Phillip C. Ward, Director
Water Resources Department

