

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID E. LESSER
84573 RINGER ROAD
MILTON-FREEWATER, OREGON 97862

confirms the right to use the waters of DUGGER CREEK, a tributary of SWARTZ SPRING CREEK, for SUPPLEMENTAL IRRIGATION OF 16.14 ACRES.

This right was perfected under Permit S-6360. The date of priority is JUNE 25, 1924. The right is limited to an amount actually beneficially used and shall not exceed 0.20 CUBIC FEET PER SECOND (cfs) or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

TWP	RNG	MER	SEC	Q-Q
6 N	35 E	W.M.	30	SW NW

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH (1/80) of one cubic foot per second per acre.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

TWP	RNG	MER	SEC	Q-Q	ACRES
6N	35E	W.M.	30	SW NW	16.14

This certificate describes that portion of the water right MODIFIED by provisions of an order recorded at Special Order Volume 80, Pages 866 to 867, diminishing a portion of the right evidenced by Certificate 45705. This certificate together with Certificate 86237 supersedes Water Right Certificate 45705.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 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.

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.

WITNESS the signature of the Water Resources Director, affixed May 20 2010

E. Timothy Wall. Sr

Phillip C. Ward, Director

Mailing Date: MAY 20 2010