

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON DEPARTMENT OF FISH AND WILDLIFE
237 S HINES BLVD
HINES OR 97738

confirms the right to use the waters of MALHEUR RIVER, tributary to SNAKE RIVER for IRRIGATION of 15.98 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Malheur County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 8, at Page 228. The date of priority is OCTOBER 1901. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1½ ACRE FEET PER ACRE IN ANY 30 DAY PERIOD PRIOR TO JUNE 1ST, 1 ACRE FOOT PER ACRE IN ANY 30 DAY PERIOD AFTER JUNE 1ST, OF EACH YEAR, OR 3 ACRE FEET PER ACRE DURING ANY SEASON, DIVERTED AT A RATE NOT TO EXCEED ONE-TWENTIETH OF A CUBIC FOOT PER SECOND PER ACRE, in any combination from the points of diversion, or its equivalent in case of rotation, measured at the points of diversion.

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	37 E	WM	13	SW SW	POD 3: 712 FEET NORTH & 1316 FEET WEST FROM N1/4 CORNER, SECTION 24
23 S	37 E	WM	24	NW NW	POD 2: 406 FEET SOUTH & 2030 FEET WEST FROM N1/4 CORNER, SECTION 24
23 S	37 E	WM	24	SW NW	POD 1: 2209 FEET SOUTH & 1889 FEET WEST FROM N1/4 CORNER, SECTION 24

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	37 E	WM	13	SW SW	7.47
23 S	37 E	WM	13	SE SW	3.61
23 S	37 E	WM	24	NW NW	1.94
23 S	37 E	WM	24	SW NW	2.96

The quantity of water diverted at the new points of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	37 E	WM	23	SE SE	COX DITCH – NO COORDINATES PROVIDED

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered November 9, 1995, at Special Order Volume 49, Page 397, approving Transfer Application 6984, and supersedes Certificate 6887, State record of Water Right Certificates.

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 and is subject to all other conditions and limitations contained in said decree.

Issued AUG 10 2012



Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director