

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN MOLTHAN  
 PO BOX 23  
 IRONSIDE, OR 97908

confirms the right to use the waters of WELLS 1 AND 2 in the MIDDLE FORK WILLOW CREEK BASIN for SUPPLEMENTAL IRRIGATION of 85.9 ACRES.

This right was perfected under Permit G-10941. The date of priority is AUGUST 11, 1989. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.93 CUBIC FOOT PER SECOND (CFS), BEING 0.73 CFS FROM WELL 1 AND 0.20 CFS FROM WELL 2 or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	39 E	WM	20	SE SE	200 FEET NORTH AND 1270 FEET WEST FROM THE SE CORNER OF SECTION 20
14 S	39 E	WM	21	SE SW	350 FEET NORTH FROM SOUTH 1/4 CORNER OF SECTION 21

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-EIGHTIETH 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. 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:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	39 E	WM	20	SE SE	13.4
14 S	39 E	WM	21	NE SW	5.2
14 S	39 E	WM	21	NW SW	8.4
14 S	39 E	WM	21	SW SW	39.4
14 S	39 E	WM	21	SE SW	8.3
14 S	39 E	WM	21	SE SW	4.4
14 S	39 E	WM	21	NW SE	1.2
14 S	39 E	WM	21	SW SE	5.6
Total					85.9

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for a measuring line, adequate to determine water level elevation in the well at all times. When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

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.

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.

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.

This certificate describes that portion of the water right confirmed by Certificate 85564, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 31 2012, approving Transfer Application T-11413.

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.

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.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

WITNESS the signature of the Water Resources Director, affixed AUG 31 2012.

  
Dwight French, Water Right Services Administrator, for  
PHILLIP C. WARD, DIRECTOR