

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DOUGLAS G. AND LANA D. ESZLER
53856 WILLOW LANE
MILTON-FREEWATER OR 97862

confirms the right to use the waters of A WELL HYDRAULICALLY CONNECTED TO THE WALLA WALLA RIVER, tributary to COLUMBIA RIVER for IRRIGATION of 5.3 ACRES.

This right was perfected under Permit S-6345. The date of priority is JUNE 6, 1924. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.07 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion (well).

The point of diversion (well) is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|------|-----|-----|-------|---|
| 6 N | 35 E | WM | 36 | SE SW | 10 FEET NORTH & 780 FEET WEST FROM S ¼ CORNER, SECTION 36 |

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 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 is as follows:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-----|------|-----|-----|-------|-------|
| 6 N | 35 E | WM | 36 | SE SW | 5.3 |

The well from which water is taken under this right shall be constructed so that the use of the well will affect the surface water source similarly to the use of the original authorized point of diversion.

The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.

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 183.482. 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.

The quantity of water diverted at the new point of diversion (shallow well), shall not exceed the quantity of water available from the original point of diversion described as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|------|-----|-----|-------|--------------------|
| 5 N | 35 E | WM | 1 | NE NW | NONE GIVEN |

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.

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.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered FEBUARY 8, 2007, at Special Order Volume 71, Page 149, approving Transfer Application 7996, and together with Certificate 9182, supercedes Certificate 9182, State record of Water Right Certificates.

JUN 20 2013

Issued _____



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