

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DUNBAR SILVIES RIVER RANCH, LLC
9622 VICTOR ROAD
ANCHORAGE AK 99515

confirms the right to use the waters of POISON CREEK AND FOLEY SLOUGH, tributaries of MALHEUR LAKE, for IRRIGATION of 40.0 ACRES.

Note: The Foley Slough is a distributary of the Silvies River that divides from the Silvies in the NE NE, Section 26, T22S, R30E, W.M. Water diverted down the Foley Slough Branch enhances the flow in Poison Creek that can be diverted from the Poison Creek Slough diversion.

This right was confirmed by the Silvies River Decree of the Circuit Court of the State of Oregon for Harney County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 9, at Page 147. The date of priority is 1894.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.5 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of re-diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	32 E	WM	27	SW NW	POISON CREEK SLOUGH- 2735 FEET NORTH AND 106 FEET EAST FROM SW CORNER, SECTION 27

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 2.0 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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	32 E	WM	34	NW NW	14.5
23 S	32 E	WM	34	SW NW	25.5

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


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 right to the use of the water for the above purpose is restricted to beneficial use on place of use described, and is subject to all other conditions and limitations contained in the right confirmed at Volume 9, Page 147 and any related decree.

This certificate is issued to confirm changes in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered AUGUST 24, 2005, at Special Order Volume 66, Page 156, modifying a portion of the Silvie River Decree in the name of Ferdinand Denstedt (no certificate previously issued) in Vol 9, Page 147, Order Record of Water Resources Director.

Issued AUG 28 2015 .



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