

STATE OF OREGON  
COUNTY OF MALHEUR  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF VALE  
252 B ST WEST  
VALE OR 97918

confirms the right to use the waters of MALHEUR RIVER, a tributary of the SNAKE RIVER, for MUNICIPAL USES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for MALHEUR County. The decree is recorded in the Order Record of the Water Resources Director in Volume 8, at Page 228. The date of priority is SEPTEMBER 24, 1897.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 5.00 CUBIC FEET PER SECOND (CFS) AND FURTHER LIMITED NOT TO EXCEED 1.96 CFS FROM WELL 1(F1), 0.78 CFS FROM WELL 2(4), 1.30 CFS FROM WELL 3(2), 0.78 CFS FROM WELL 4(3), 0.96 CFS FROM WELL 5(F2), 1.30 CFS FROM WELL 6(5), AND 1.96 CFS FROM WELL 7(F3) IN ANY COMBINATION, OR ITS EQUIVALENT IN CASE OF ROTATION, MEASURED AT THE WELL AND A VOLUME NOT TO EXCEED 225 ACRE FEET PER MONTH, WITH THE TOTAL VOLUME NOT TO EXCEED 1070.6 ACRE FEET PER YEAR.

The wells and point of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	45 E	WM	31	NW NE	WELL 3(2) - 750 FEET SOUTH AND 1875 FEET WEST FROM NE CORNER, SECTION 31
18 S	45 E	WM	31	NW NE	WELL 4(3) - 900 FEET SOUTH AND 1950 FEET WEST FROM NE CORNER, SECTION 31
18 S	45 E	WM	31	NW NE	WELL 2(4) - 675 FEET SOUTH AND 2225 FEET WEST FROM NE CORNER, SECTION 31
18 S	45 E	WM	31	SW NE	WELL 6(5) - 1350 FEET SOUTH AND 1975 FEET WEST FROM NE CORNER, SECTION 31
18 S	45 E	WM	31	NW NE	WELL 1(F1) - 310 FEET SOUTH AND 2015 FEET WEST FROM NE CORNER, SECTION 31
18 S	45 E	WM	31	NW NE	WELL 5(F2) - 1025 FEET SOUTH AND 2235 FEET WEST FROM NE CORNER, SECTION 31
18 S	45 E	WM	31	SW NE	WELL 7(F3) - 1720 FEET SOUTH AND 2085 FEET WEST FROM NE CORNER, SECTION 31
19 S	44 E	WM	8	NE SW	GELLERMAN - FROMAN CANAL (ADDITIONAL) - 2740 FEET SOUTH AND 3200 FEET WEST FROM NE CORNER, SECTION 8

**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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
18 S	45 E	WM	19	NE SE
18 S	45 E	WM	19	NW SE
18 S	45 E	WM	19	SW SE
18 S	45 E	WM	19	SE SE
18 S	45 E	WM	20	SW NW
18 S	45 E	WM	20	SE NW
18 S	45 E	WM	20	NE SW
18 S	45 E	WM	20	NW SW
18 S	45 E	WM	20	SW SW
18 S	45 E	WM	20	SE SW
18 S	45 E	WM	20	NE SE
18 S	45 E	WM	20	NW SE
18 S	45 E	WM	20	SW SE
18 S	45 E	WM	20	SE SE
18 S	45 E	WM	21	SW NW
18 S	45 E	WM	21	SE NW
18 S	45 E	WM	21	NE SW
18 S	45 E	WM	21	NW SW
18 S	45 E	WM	29	NE NW
18 S	45 E	WM	29	NW NW
18 S	45 E	WM	29	SW NW
18 S	45 E	WM	29	SE NW
18 S	45 E	WM	30	NE NE
18 S	45 E	WM	30	NW NE
18 S	45 E	WM	30	SW NE
18 S	45 E	WM	30	SE NE

The water user shall divert from the Malheur River, through the Gellerman – Froman Canal, and discharge into Bully Creek, a quantity of water equal to 20 percent of the quantity of water being diverted from the wells under this water right. The point of discharge of Bully Creek is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
19 S	44 E	WM	3	SE SE	690 FEET NORTH AND 650 FEET WEST FROM SE CORNER, SECTION 3

The water user shall maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted from the wells under this right.

The water user or irrigation district shall maintain a headgate, in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted into the irrigation canal.

The water user shall maintain a headgate, in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water discharged into Bully Creek.

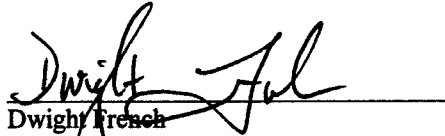
When required by the Department, the water user shall maintain a suitable measuring device for measuring and recording the quantity of water available at the original point of diversion, Mill Ditch.

The water user or irrigation district shall operate and maintain the headgates and measuring devices, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may operate headgates and monitor the accuracy of the measuring devices, as needed.

This certificate is issued to confirm CHANGES IN PLACE OF USE AND POINTS OF DIVERSION approved by an order of the Water Resources Director entered October 5, 1999, at Special Order Volume 53, Page 1324, approving Transfer Application 8166, supercedes Certificate 6878, 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; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3), and is subject to all other conditions and limitations contained in said decree.

Issued MAR 18 2016.



Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

