

STATE OF OREGON  
COUNTY OF MALHEUR  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FLYWAYS RANCH LLC  
4750 RIVERVISTA PL  
GARDEN CITY ID 83714

confirms the right to the use of water perfected under the terms of Permit S-16540. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: OWYHEE RIVER, A TRIBUTARY OF SNAKE RIVER

PURPOSE OR USE: IRRIGATION OF 26.8 ACRES

MAXIMUM RATE: 0.449 CUBIC FOOT PER SECOND

DATE OF PRIORITY: AUGUST 24, 1945

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
20 S	46 E	WM	25	SE SW	NEW POD - NORTH 20 DEGREES 46 MINUTES 46 SECONDS EAST, 659.10 FEET FROM W1/16 CORNER, SECTION 25

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-SIXTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre feet per acre for each acre irrigated during the irrigation season from April 1 to October 15 of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
20 S	46 E	WM	25	SE SW	5.68
20 S	46 E	WM	36	NE NW	17.64
20 S	46 E	WM	36	NW NW	3.48

The quantity of water diverted at the new point of 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
20 S	46 E	WM	25	SE SW	POD 1 - NORTH 37 DEGREES 25 MINUTES 46 SECONDS EAST, 627.9 FEET FROM THE W1/16 CORNER, SECTION 25

**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.

Within one year after receiving written notification from the Oregon Department of Fish and Wildlife (ODFW) that a fish screening and/or by-pass device is required, the water user shall install a screening and/or by-pass device, as appropriate, at the new point of diversion. The fish screening and/or by-pass device must meet ODFW's design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that required screening and/or by-pass device meets ODFW's criteria. Once installed the water user shall maintain and operate the fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

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 MAY 4, 2015, at Special Order Volume 95, Page 621, approving Transfer Application T-11776, and together with Certificate 90253, supersedes Certificate 28453, State Record of Water Right Certificates.

Issued **MAR 26 2021**



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