

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES G. FARMER
CHARLES W. FARMER
MARGARET D. MOORE FARMER
DESERET LAND COMPANY LLC
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NYSSA OR 97913

AGWEST FARM CREDIT, FLCA
308 SE 10TH STREET
ONTARIO OR 97914

confirms the right to the use of water perfected under the terms of Permit S-55195. 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 of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-88126

SOURCE OF WATER: UNNAMED SPRING AND UNNAMED STREAM, TRIBUTARIES TO LOCKET GULCH, AND LOCKET GULCH, TRIBUTARY TO SNAKE RIVER

PURPOSE OR USE OF THE WATER AND PERIOD OF USE:

PRIMARY IRRIGATION OF 533.1 ACRES – FEBRUARY 1 THROUGH MARCH 31 AND OCTOBER 16 THROUGH OCTOBER 31

SUPPLEMENTAL IRRIGATION OF 533.1 ACRES – APRIL 1 THROUGH APRIL 14 AND OCTOBER 1 THROUGH OCTOBER 15

MAXIMUM RATE: 2.23 CUBIC FEET PER SECOND (CFS), BEING 1.0 CFS FROM POD 1 AND POD 2, FURTHER LIMITED TO 0.92 CFS FROM POD 1 FOR IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 354.6 ACRES AND 0.52 CFS FROM POD 2 FOR IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 78.7 ACRES, NOT TO EXCEED 1.0 CFS IN ANY COMBINATION FROM POD 1 AND POD 2; AND 1.23 CFS FROM POD 3 FOR IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 99.8 ACRES

DATE OF PRIORITY: AUGUST 28, 2015

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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

POINTS OF DIVERSION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
20 S	46 E	WM	11	NW NW	POD 1 (UNNAMED SPRING) - 710 FEET SOUTH AND 1310 FEET EAST FROM NW CORNER, SECTION 11
20 S	46 E	WM	11	SW NE	POD 2 (UNNAMED STREAM) - 1490 FEET SOUTH AND 140 FEET EAST FROM N1/4 CORNER, SECTION 11
20 S	46 E	WM	12	SE NW	POD 3 (LOCKET GULCH) - 1880 FEET SOUTH AND 2550 FEET EAST FROM NW CORNER, SECTION 12

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SIXTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	POD
20 S	46 E	WM	11	SW NE	27.7	1
20 S	46 E	WM	11	SE NE	20.4	1
20 S	46 E	WM	11	NW NW	37.5	1
20 S	46 E	WM	11	SW NW	36.9	1
20 S	46 E	WM	11	NE SW	37.5	1
20 S	46 E	WM	11	NW SW	37.4	1
20 S	46 E	WM	11	SW SW	38.4	1
20 S	46 E	WM	11	SE SW	36.3	1
20 S	46 E	WM	11	NW SE	38.1	1
20 S	46 E	WM	11	SW SE	32.5	1
20 S	46 E	WM	11	SE SE	11.9	1
20 S	46 E	WM	12	NE NE	37.9	3
20 S	46 E	WM	12	NW NE	9.5	3
20 S	46 E	WM	12	SW NE	5.8	3
20 S	46 E	WM	12	SE NE	36.6	3
20 S	46 E	WM	12	NW NW	18.3	2
20 S	46 E	WM	12	SW NW	34.0	2
20 S	46 E	WM	12	SE NW	26.4	2
20 S	46 E	WM	12	NE SE	10.0	3

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	POD
20 S	46 E	WM	11	SW NE	27.7	1
20 S	46 E	WM	11	SE NE	20.4	1
20 S	46 E	WM	11	NW NW	37.5	1
20 S	46 E	WM	11	SW NW	36.9	1
20 S	46 E	WM	11	NE SW	37.5	1
20 S	46 E	WM	11	NW SW	37.4	1
20 S	46 E	WM	11	SW SW	38.4	1
20 S	46 E	WM	11	SE SW	36.3	1
20 S	46 E	WM	11	NW SE	38.1	1
20 S	46 E	WM	11	SW SE	32.5	1
20 S	46 E	WM	11	SE SE	11.9	1
20 S	46 E	WM	12	NE NE	37.9	3
20 S	46 E	WM	12	NW NE	9.5	3
20 S	46 E	WM	12	SW NE	5.8	3

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	POD
20 S	46 E	WM	12	SE NE	36.6	3
20 S	46 E	WM	12	NW NW	18.3	2
20 S	46 E	WM	12	SW NW	34.0	2
20 S	46 E	WM	12	SE NW	26.4	2
20 S	46 E	WM	12	NE SE	10.0	2

Measurement Devices, and Recording/Reporting of Annual Water Use Conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter at each point of diversion.
- B. The water user shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The water user shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

Use of water under this right during the periods of April 1 through April 14 and October 1 through October 15 shall be supplemental to other existing water rights on the same lands. The water user shall not exercise the supplemental portion of the right on any lands with other existing water rights during times when water is available to such lands under other rights.

Use of water under the supplemental portion of this right during the periods of April 1 through April 14 and October 1 through October 15 shall be subordinate in priority to any and all rights of the Owyhee Irrigation District to recapture and reuse waste water, seepage water, return flow or drainage water from Locket Gulch or its tributaries.

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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

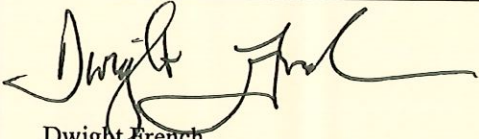
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued DEC 22 2023



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department