

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SEUBERT EXCAVATORS INC.
PO BOX 57
COTTONWOOD ID 83522

confirms the right to the use of water perfected under the terms of Permit S-53595. 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-84015

SOURCE OF WATER: UNNAMED STREAM, TRIBUTARY OF CANYON NO 1

PURPOSE or USE: DUST ABATEMENT AND AGGREGATE WASHING

MAXIMUM RATE: 0.78 CUBIC FOOT PER SECOND

PERIOD OF USE: OCTOBER 1 THROUGH APRILE 14

DATE OF PRIORITY: DECEMBER 9, 1998

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	47 E	WM	19	NW SE	NORTH POD – NORTH 46 DEGREES 31 MINUTES 28 SECONDS EAST, 825.54 FEET FROM SW CORNER, NW SE, SECTION 19
17 S	47 E	WM	19	NW SE	SOUTH POD - NORTH 73 DEGREES 17 MINUTES 28 MINUTES EAST, 830.33 FEET FROM SW CORNER, NW SE, SECTION 19

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
17 S	47 E	WM	19	SW NE
17 S	47 E	WM	19	SE NE
17 S	47 E	WM	19	SW NW
17 S	47 E	WM	19	SE NW
17 S	47 E	WM	19	NE SW
17 S	47 E	WM	19	NW SW

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.

Twp	Rng	Mer	Sec	Q-Q
17 S	47 E	WM	19	SE SW
17 S	47 E	WM	19	NW SE
17 S	47 E	WM	19	SW SE

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

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.

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 OCT 18 2024

Dwight French
 Water Right Services Division Administrator, for
 Ivan Gall, Director
 Oregon Water Resources Department