

Assigned
Estate of W. B. Clayton

Name _____
By _____
Address Burns, Oregon

Application No. G 1797
Permit No. G 1643
Certificate No. 36998

Stream Index, Page No. 12-31

See A-G 5208

Date filed July 15, 1960
Priority July 15, 1960
Action suspended until OK Cont

Returned to applicant _____
Date of approval September 20, 1960

CONSTRUCTION

Date for beginning September 20, 1961
Date for completion October 1, 1961
Extended to _____

Date for application of water October 1, 1962
Extended to 10-1-64

PROSECUTION OF WORK

Form "A" filed _____
Form "B" filed "Completed"
Form "C" filed Feb 24, 1965

FINAL PROOF
MARCH 5 1970
JUNE 8 1970

Blank mailed _____
Proof received _____
Date certificate issued OCTOBER 21 1970

FEES PAID

Date	Amount	R
<u>7-18-60</u>	<u>85.00</u>	<u>2</u>
<u>9-24-70</u>	<u>\$1 Cert. Fee</u>	<u>2</u>

FEES REFUNDED

Date	Amount	C
<u>9-22-60</u>	<u>3.10</u>	

ASSIGNMENTS

Date	To Whom	Address	Volume
<u>6-5-70</u>	<u>John M. Campbell</u>	<u>Hines, Oregon 97738</u>	<u>4</u>

REMARKS

12.7 c.f.s. from two wells (Silvies River), being 7.1 c.f.s. from well No. 1 and
5.6 c.f.s. from well No. 2 for irrigation and supplemental irrigation of 2139.7

OCT 24 1962 CARD FOR C

OCT 21 1964 CARD FOR C

JAN 12 1965 FORM 700

SR

Certified letter sent 5-6-70

Form C

IMPORTANT—This form is a notice to the State Engineer that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when all of the water has been applied.

Application No. G1797

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, John M. Campbell, the holder of Permit No. G1643,
to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in
accordance with the terms of said permit, on the 1 day of Sept, 1967.

Remarks: Plowed & planted

IN WITNESS WHEREOF, I have hereunto set my hand this 1 day of Jan, 1968

(Signature of Applicant)

(Address)

P.O. Box 437 Hines Oregon



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

August 29, 2018

MIKE PEILA
PO BOX 537
HINES, OR 97738

REFERENCE: Transfer Application T-11751

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. **YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT.** The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Arla Heard, by telephone at 503-986-0898, or by email arla.l.heard@oregon.gov

Kindest regards,

Tamera Smith
Transfer and Conservation Section

cc: J R. Johnson, Watermaster Dist. #10 (via email)
Scott D. Montgomery, Agent (via email)

Enclosure

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application) FINAL ORDER APPROVING
T-11751, Harney County) ADDITIONAL POINTS OF APPROPRIATION

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

MIKE PEILA
PO BOX 537
HINES, OR 97738

Findings of Fact

1. On March 5, 2014, MIKE PEILA filed an application for additional points of appropriation under Certificates 36998 and 44694. The Department assigned the application number T-11751.
2. Notice of the application for transfer was published on March 11, 2014, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 26, 2015, the Department notified the applicant's agent of the deficiencies in the application. Specifically, a missing tax lot on the Land Use form, missing acreage in Table 2, and an incorrect character of use identified for Wells 1 and 2.
4. The Department requested that the deficiencies be resolved by March 23, 2015.
5. On March 12, 2015, the applicant provided sufficient information to the Department to resolve the deficiencies.
6. On March 16, 2018 the Department e-mailed a copy of the revised draft Preliminary Determination proposing to approve Transfer Application T-11751 to the applicant. The revised draft Preliminary Determination cover letter set forth a deadline of April 16, 2018, for the applicant to respond. The agent for the applicant responded that the location of proposed Well 7 was incorrect based on information provided in the application.
7. On March 22, 2018, the Department received updated location information for Well 3 and Well 7.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or 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.

8. On April 23, 2018 the Department e-mailed a copy of a second revised draft Preliminary Determination proposing to approve Transfer Application T-11751 to the applicant and the agent. The second revised draft Preliminary Determination cover letter set forth a deadline of May 23, 2018, for the applicant to respond.
9. On May 20, 2018, the applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. On July 23, 2018, the Department issued a Preliminary Determination proposing to approve Transfer Application T-11751 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on July 24, 2018, and in the Burns Times-Herald newspaper on August 1 and 8, 2018, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
11. The first right to be transferred is as follows:

Certificate: 36998 in the name of JOHN M. CAMPBELL (perfected under Permit G-1643)

Use: IRRIGATION of 966.2 ACRES and SUPPLEMENTAL IRRIGATION of 433.8 ACRES

Priority Date: JULY 15, 1960

Rate: 7.80 CUBIC FEET PER SECOND (CFS), being 2.23 CFS from WELL No. 1 and 5.57 CFS from WELL No. 2

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH 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 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELLS Nos.1 and 2 tributaries of the SILVIES RIVER (MALHEUR LAKE)

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	30 E	WM	24	SW NE	WELL 1 - 2450 FEET SOUTH AND 630 FEET WEST FROM THE NE CORNER OF THE NW¼ NE ¼ OF SECTION 24
24 S	30 E	WM	26	SE SE	WELL 2 - 2270 FEET SOUTH AND 6160 FEET WEST FROM THE E¼ CORNER OF SECTION 25

Authorized Place of Use:

PRIMARY IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	GLot	Well 1 Acres	Well 2 Acres	Wells 1 & 2 Acres
24 S	30 E	WM	24	SW NE		1.4		
24 S	30 E	WM	24	NE SW		0.4		
24 S	30 E	WM	24	NW SE		20.8		
24 S	30 E	WM	24	SW SE		9.3		
24 S	30 E	WM	24	SE SE		34.0		
24 S	30 E	WM	25	NE NE		28.0		

PRIMARY IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	GLot	Well 1 Acres	Well 2 Acres	Wells 1 & 2 Acres
24 S	30 E	WM	25	NW NE		1.4		
24 S	30 E	WM	25	SE NE				36.0
24 S	30 E	WM	25	NE SW			8.0	
24 S	30 E	WM	25	NW SW			4.4	
24 S	30 E	WM	25	SW SW			40.0	
24 S	30 E	WM	25	SE SW			40.0	
24 S	30 E	WM	25	NE SE				2.0
24 S	30 E	WM	25	NE SE			39.1	
24 S	30 E	WM	25	NW SE			23.2	
24 S	30 E	WM	25	SW SE			41.7	
24 S	30 E	WM	25	SE SE			41.7	
24 S	30 E	WM	26	NE SE			13.3	
24 S	30 E	WM	26	SE SE			21.6	
24 S	30 E	WM	35	NE NE			32.0	
24 S	30 E	WM	35	SE NE			9.2	
24 S	30 E	WM	36	NE NE			41.3	
24 S	30 E	WM	36	NW NE			41.3	
24 S	30 E	WM	36	SW NE			34.6	
24 S	30 E	WM	36	SE NE			31.6	
24 S	30 E	WM	36	NE NW			40.0	
24 S	30 E	WM	36	NW NW			40.0	
24 S	30 E	WM	36	SW NW			34.4	
24 S	30 E	WM	36	SE NW			37.8	
24 S	31 E	WM	19	SW SW	4	37.2		
24 S	31 E	WM	19	SE SW		38.8		
24 S	31 E	WM	30	NE NW				38.6
24 S	31 E	WM	30	NW NW	1			28.8
24 S	31 E	WM	30	SW NW	2			37.2
24 S	31 E	WM	30	SE NW	1			37.1
Total						171.3	615.2	179.7

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Well 1 Acres
24 S	30 E	WM	24	NE NE		39.2
24 S	30 E	WM	24	NW NE		39.8
24 S	30 E	WM	24	SW NE		35.0
24 S	30 E	WM	24	SE NE		39.4
24 S	30 E	WM	24	NE NW		35.8
24 S	30 E	WM	24	NW NW		0.2
24 S	30 E	WM	24	SW NW		0.3
24 S	30 E	WM	24	SE NW		17.2
24 S	30 E	WM	24	NE SE		39.5
24 S	30 E	WM	24	NW SE		10.0
24 S	31 E	WM	19	NW NW	1	38.2
24 S	31 E	WM	19	SW NW	2	38.4
24 S	31 E	WM	19	SE NW		23.7
24 S	31 E	WM	19	NE SW		38.7
24 S	31 E	WM	19	NW SW	3	38.4
Total						433.8

12. The second right to be transferred is as follows:

Certificate: 44694 in the name of JOHN M. CAMPBELL (perfected under Permit G-5073)
Use: IRRIGATION of 215.2 ACRES and SUPPLEMENTAL IRRIGATION of 538.7 ACRES
Priority Date: SEPTEMBER 24, 1970
Rate: 7.13 CFS, being 2.23 CFS from WELL No. 1 and 4.9 CFS from WELL No. 2
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH 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 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL Nos. 1 and 2 a tributaries of the SILVIES RIVER

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	30 E	WM	24	SW NE	WELL 1 - 2450 FEET SOUTH AND 630 FEET WEST FROM THE NE CORNER OF THE NW ¼ NE ¼ OF SECTION 24
24 S	30 E	WM	26	SE SE	WELL 2 - 2270 FEET SOUTH AND 6160 FEET WEST FROM THE E ¼ CORNER OF SECTION 25

Authorized Place of Use:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Wells 1 & 2 Acres
24 S	31 E	WM	29	SW NE	13.4
24 S	31 E	WM	29	SW NW	20.2
24 S	31 E	WM	29	SE NW	20.2
24 S	31 E	WM	30	NE NE	39.7
24 S	31 E	WM	30	NW NE	40.9
24 S	31 E	WM	30	SW NE	39.4
24 S	31 E	WM	30	SE NE	41.4
Total					215.2

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Well 1 Acres	Well 1 & 2 Acres
24 S	31 E	WM	19	NE NE	39.4	
24 S	31 E	WM	19	NW NE	39.5	
24 S	31 E	WM	19	SW NE	40.2	
24 S	31 E	WM	19	SE NE	36.5	
24 S	31 E	WM	19	NE NW	29.3	
24 S	31 E	WM	19	SE NW	15.1	
24 S	31 E	WM	19	NE SE	39.0	
24 S	31 E	WM	19	NW SE	40.6	
24 S	31 E	WM	19	SW SE	40.8	
24 S	31 E	WM	19	SE SE	39.3	
24 S	31 E	WM	29	NW NE		40.0
24 S	31 E	WM	29	SW NE		20.0

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Well 1 Acres	Well 1 & 2 Acres
24 S	31 E	WM	29	NE NW		40.0
24 S	31 E	WM	29	NW NW		39.0
24 S	31 E	WM	29	SW NW		20.0
24 S	31 E	WM	29	SE NW		20.0
Total					359.7	179.0

7. Transfer Application T-11751 proposes additional points of appropriation, described as follows with the approximate distances from the existing points of appropriation identified:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Well 1	Distance from Well 2
24 S	30 E	WM	36	NE SW	WELL 3 - 2000 FEET NORTH AND 2525 FEET EAST FROM THE SW CORNER OF SECTION 36	2.2 miles	1.0 mile
24 S	31 E	WM	30	SE SE	WELL 4 - 0 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 30	1.9 miles	1.9 miles
24 S	30 E	WM	25	NE NE	WELL 5 - 1320 FEET SOUTH AND 660 FEET WEST FROM THE NE CORNER OF SECTION 25	0.8 mile	1.2 miles
24 S	30 E	WM	25	NE SW	WELL 6 - 1955 FEET NORTH AND 2685 FEET WEST FROM THE SE CORNER OF SECTION 25	1.2 miles	0.8 mile
24 S	30 E	WM	36	NE SW	WELL 7 - 2050 FEET NORTH AND 2640 FEET EAST FROM THE SW CORNER OF SECTION 36	2.2 miles	1.0 mile

Transfer Review Criteria (OAR 690-380-4010)

8. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and flood irrigation system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-11751.
10. The proposed change would not result in enlargement of the rights.
11. The proposed change would not result in injury to other water rights.
12. All other application requirements are met.

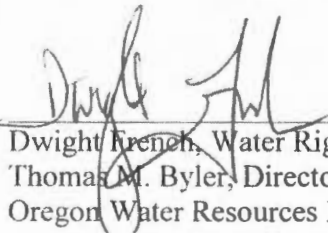
Conclusion of Law

The additional points of appropriation proposed in Transfer Application T-11751 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now therefore, it is ORDERED:

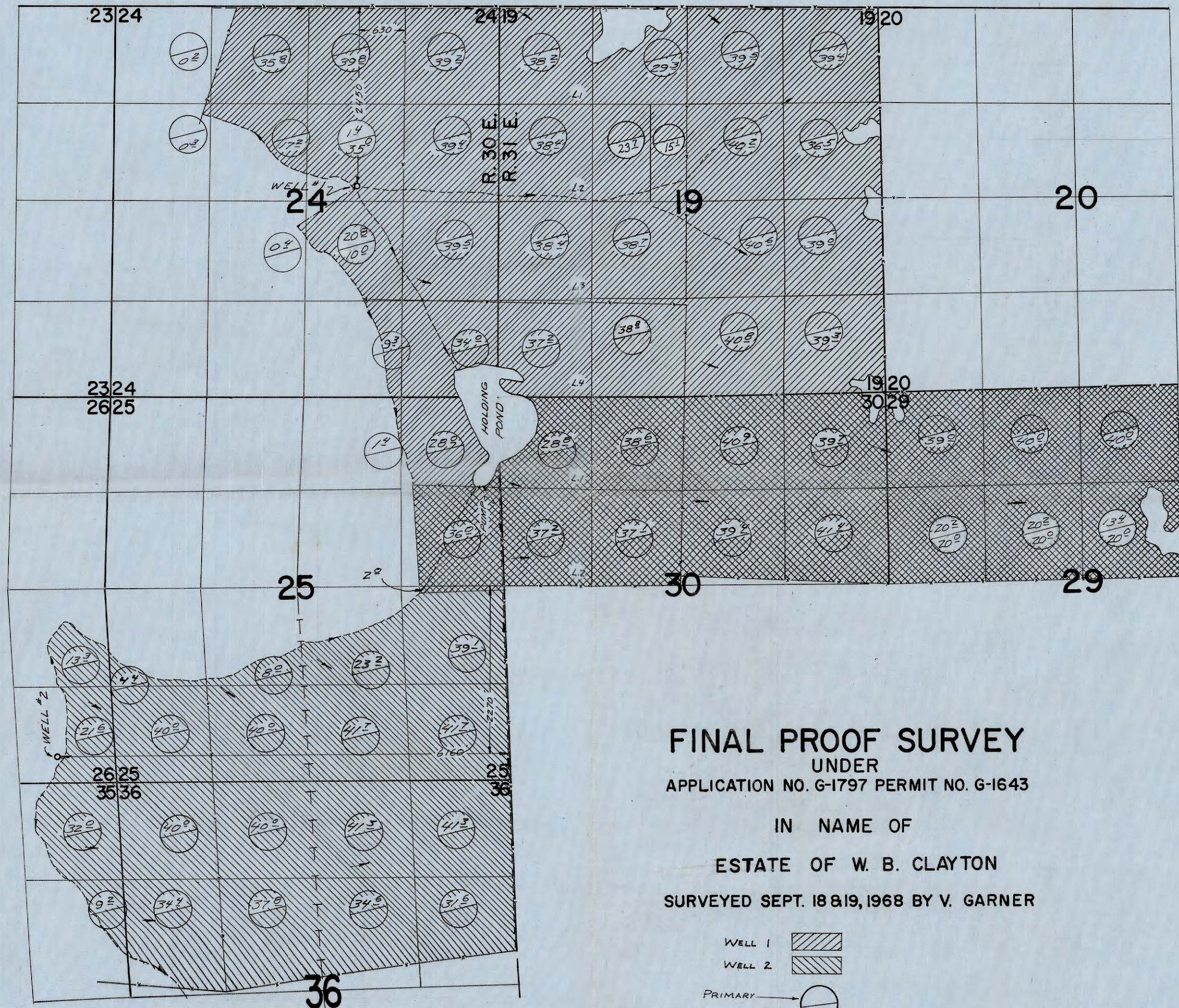
1. The additional points of appropriation proposed in Transfer Application T-11751 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 36998 and 44694 and any related decree.
3. Water Right Certificates 36998 and 44694 are cancelled.
4. The quantity of water diverted at the additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
7. The changes authorized under this order shall be made, consistent with the terms of this order, on or before **October 1, 2023**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
8. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this **AUG 29 2018**


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

Mailing date: **AUG 30 2018**

T. 24 S. R. 30 & 31 E. W.M.



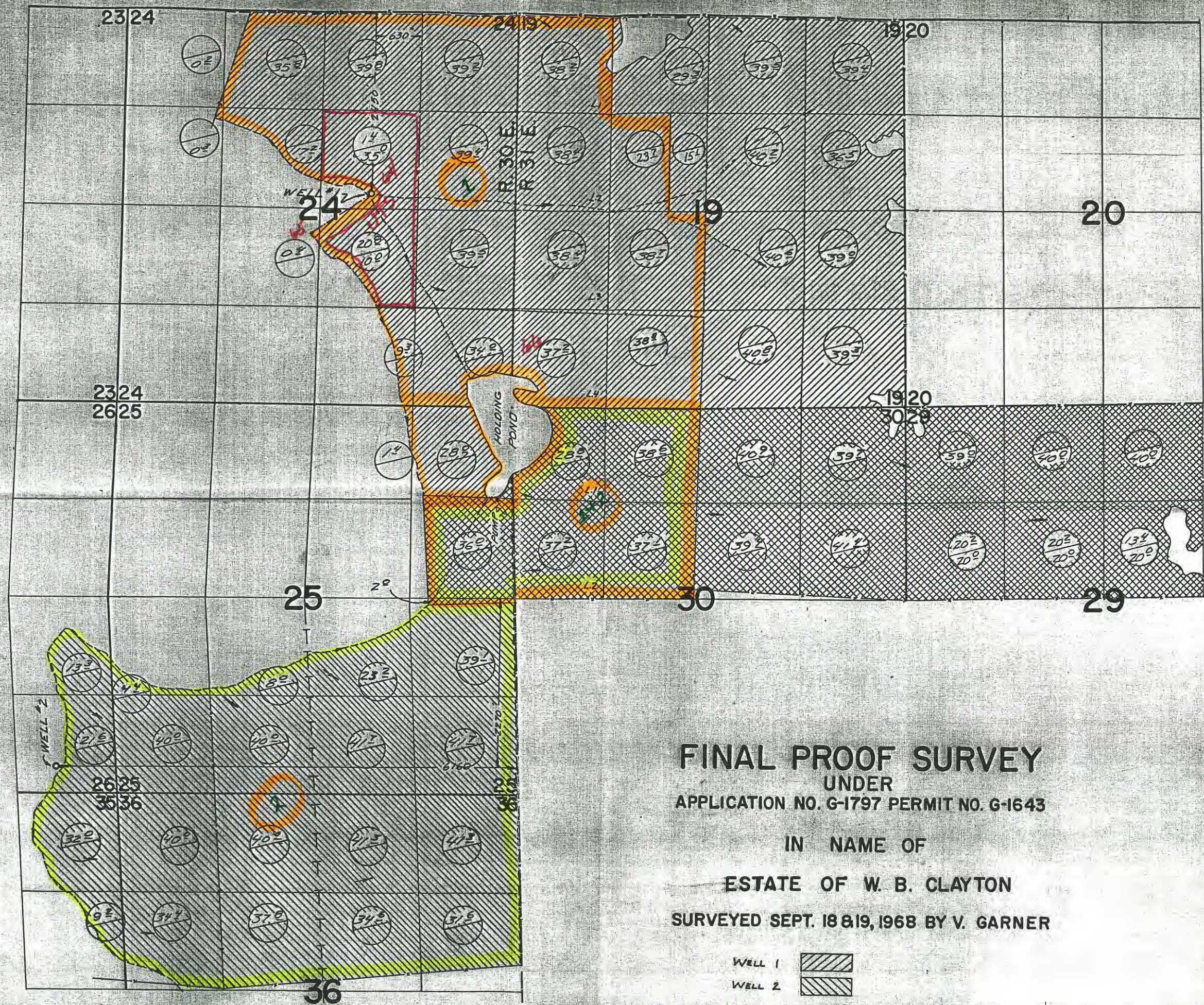
FINAL PROOF SURVEY

UNDER
APPLICATION NO. G-1797 PERMIT NO. G-1643

IN NAME OF
ESTATE OF W. B. CLAYTON
SURVEYED SEPT. 18 & 19, 1968 BY V. GARNER

WELL 1 
WELL 2 
PRIMARY 
SUPPLEMENTAL 

Copy



FINAL PROOF SURVEY

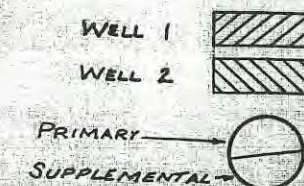
UNDER

APPLICATION NO. G-1797 PERMIT NO. G-1643

IN NAME OF

ESTATE OF W. B. CLAYTON

SURVEYED SEPT. 18 & 19, 1968 BY V. GARNER



STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

This Is To Certify, That JOHN M. CAMPBELL

of Hines, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Two wells a tributary of Silvies River (Malheur Lake) for the purpose of irrigation of 966.2 acres and supplemental irrigation of 433.8 acres under Permit No. G-1643 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 15, 1960

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 7.80 cubic feet per second, being 2.23 c.f.s. from Well No. 1 and 5.57 c.f.s. from Well No. 2

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW¼ NE¼, Section 24; SE¼ SE¼, Section 26; T. 24 S., R. 30 E., W. M. Wells located: Well No. 1 - 2450 feet South and 630 feet West from NE Corner, NW¼ NE¼, Section 24; Well No. 2 - 6160 feet West and 2270 feet South from E¼ Corner, Section 25.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth 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 3 acre feet per acre for each acre irrigated during the irrigation season 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:

Well No. 1		Well No. 2	Wells No. 1 and 2
Primary	Supplemental	Primary	Primary
	39.2 acres		NE¼ NE¼
	39.8 acres		NW¼ NE¼
1.4 acres	35.0 acres		SW¼ NE¼
	39.4 acres		SE¼ NE¼
	35.8 acres		NE¼ NW¼
	0.2 acre		NW¼ NW¼
	0.3 acre		SW¼ NW¼
	17.2 acres		SE¼ NW¼
0.4 acre			NE¼ SW¼
	39.5 acres		NE¼ SE¼
20.8 acres	10.0 acres		NW¼ SE¼
9.3 acres			SW¼ SE¼
34.0 acres			SE¼ SE¼
Section 24			
28.0 acres			NE¼ NE¼
1.4 acres			NW¼ NE¼
		36.0 acres	SE¼ NE¼
		8.0 acres	NE¼ SW¼
		4.4 acres	NW¼ SW¼
		40.0 acres	SW¼ SW¼
Section 25			
T. 24 S., R. 30 E., W. M.			

Well No. 1		Well No. 2	Wells No. 1 and 2	
Primary	Supplemental	Primary	Primary	
		40.0 acres		SE $\frac{1}{4}$ SW $\frac{1}{4}$
		39.1 acres	2.0 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$
		23.2 acres		NW $\frac{1}{4}$ SE $\frac{1}{4}$
		41.7 acres		SW $\frac{1}{4}$ SE $\frac{1}{4}$
		41.7 acres		SE $\frac{1}{4}$ SE $\frac{1}{4}$
		Section 25		
		13.3 acres		NE $\frac{1}{4}$ SE $\frac{1}{4}$
		21.6 acres		SE $\frac{1}{4}$ SE $\frac{1}{4}$
		Section 26		
		32.0 acres		NE $\frac{1}{4}$ NE $\frac{1}{4}$
		9.2 acres		SE $\frac{1}{4}$ NE $\frac{1}{4}$
		Section 35		
		41.3 acres		NE $\frac{1}{4}$ NE $\frac{1}{4}$
		41.3 acres		NW $\frac{1}{4}$ NE $\frac{1}{4}$
		34.6 acres		SW $\frac{1}{4}$ NE $\frac{1}{4}$
		31.6 acres		SE $\frac{1}{4}$ NE $\frac{1}{4}$
		40.0 acres		NE $\frac{1}{4}$ NW $\frac{1}{4}$
		40.0 acres		NW $\frac{1}{4}$ NW $\frac{1}{4}$
		34.4 acres		SW $\frac{1}{4}$ NW $\frac{1}{4}$
		37.8 acres		SE $\frac{1}{4}$ NW $\frac{1}{4}$
		Section 36		
		T. 24 S., R. 30 E., W. M.		
	38.2 acres			Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
	38.4 acres			Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
	23.7 acres			SE $\frac{1}{4}$ NW $\frac{1}{4}$
	38.7 acres			NE $\frac{1}{4}$ SW $\frac{1}{4}$
	38.4 acres			Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
37.2 acres				Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
38.8 acres				SE $\frac{1}{4}$ SW $\frac{1}{4}$
		Section 19		
			38.6 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
			28.8 acres	Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
			37.2 acres	Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
			37.1 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
		Section 30		
		T. 24 S., R. 31 E., W. M.		

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

WITNESS the signature of the State Engineer, affixed

this 21st day of October, 1970.

CHRIS L. WHEELER

State Engineer

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

This Is To Certify, That JOHN M. CAMPBELL

of Hines, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Two wells a tributary of Silvies River (Malheur Lake) for the purpose of irrigation of 966.2 acres and supplemental irrigation of 433.8 acres under Permit No. G-1643 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 15, 1960

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 7.80 cubic feet per second, being 2.23 c.f.s. from Well No. 1 and 5.57 c.f.s. from Well No. 2

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW¼ NE¼, Section 24; SE¼ SE¼, Section 26; T. 24 S., R. 30 E., W. M. Wells located: Well No. 1 - 2450 feet South and 630 feet West from NE Corner, NW¼ NE¼, Section 24; Well No. 2 - 6160 feet West and 2270 feet South from E¼ Corner, Section 25.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth 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 3 acre feet per acre for each acre irrigated during the irrigation season 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:

Well No. 1		Well No. 2	Wells No. 1 and 2
Primary	Supplemental	Primary	Primary
	39.2 acres		NE¼ NE¼
	39.8 acres		NW¼ NE¼
1.4 acres	35.0 acres		SW¼ NE¼
	39.4 acres		SE¼ NE¼
	35.8 acres		NE¼ NW¼
	0.2 acre		NW¼ NW¼
	0.3 acre		SW¼ NW¼
	17.2 acres		SE¼ NW¼
0.4 acre			NE¼ SW¼
	39.5 acres		NE¼ SE¼
20.8 acres	10.0 acres		NW¼ SE¼
9.3 acres			SW¼ SE¼
34.0 acres			SE¼ SE¼
Section 24			
28.0 acres			NE¼ NE¼
1.4 acres			NW¼ NE¼
		36.0 acres	SE¼ NE¼
	8.0 acres		NE¼ SW¼
	4.4 acres		NW¼ SW¼
	40.0 acres		SW¼ SW¼
Section 25			
T. 24 S., R. 30 E., W. M.			

Well No. 1		Well No. 2	Wells No. 1 and 2	
Primary	Supplemental	Primary	Primary	
		40.0 acres		SE $\frac{1}{4}$ SW $\frac{1}{4}$
		39.1 acres	2.0 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$
		23.2 acres		NW $\frac{1}{4}$ SE $\frac{1}{4}$
		41.7 acres		SW $\frac{1}{4}$ SE $\frac{1}{4}$
		41.7 acres		SE $\frac{1}{4}$ SE $\frac{1}{4}$
		Section 25		
		13.3 acres		NE $\frac{1}{4}$ SE $\frac{1}{4}$
		21.6 acres		SE $\frac{1}{4}$ SE $\frac{1}{4}$
		Section 26		
		32.0 acres		NE $\frac{1}{4}$ NE $\frac{1}{4}$
		9.2 acres		SE $\frac{1}{4}$ NE $\frac{1}{4}$
		Section 35		
		41.3 acres		NE $\frac{1}{4}$ NE $\frac{1}{4}$
		41.3 acres		NW $\frac{1}{4}$ NE $\frac{1}{4}$
		34.6 acres		SW $\frac{1}{4}$ NE $\frac{1}{4}$
		31.6 acres		SE $\frac{1}{4}$ NE $\frac{1}{4}$
		40.0 acres		NE $\frac{1}{4}$ NW $\frac{1}{4}$
		40.0 acres		NW $\frac{1}{4}$ NW $\frac{1}{4}$
		34.4 acres		SW $\frac{1}{4}$ NW $\frac{1}{4}$
		37.8 acres		SE $\frac{1}{4}$ NW $\frac{1}{4}$
		Section 36		
		T. 24 S., R. 30 E., W. M.		
	38.2 acres			Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
	38.4 acres			Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
	23.7 acres			SE $\frac{1}{4}$ NW $\frac{1}{4}$
	38.7 acres			NE $\frac{1}{4}$ SW $\frac{1}{4}$
	38.4 acres			Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
37.2 acres				Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
38.8 acres				SE $\frac{1}{4}$ SW $\frac{1}{4}$
		Section 19		
			38.6 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
			28.8 acres	Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
			37.2 acres	Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
			37.1 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
		Section 30		
		T. 24 S., R. 31 E., W. M.		

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

WITNESS the signature of the State Engineer, affixed

this 21st day of October, 1970.

CHRIS L. WHEELER

State Engineer



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

July 1, 1999

John M. & Sallie M. Peila
PO Box 537
Hines OR 97738

With regard to the Water Right Ownership Update and the associated water rights:

Application #'s

G - 1797

Permit #'s

G - 1643

Certificate #

36998

The Water Resources Department has reviewed and excepted the Water Right Ownership letter/form you submitted. A copy of this confirmation letter has been placed in the corresponding application, permit, certificate file in the Water Rights section of our department, along with a copy of the Water Right Ownership letter/form you submitted.

We appreciate your cooperation with this program. If you have any questions, please contact me at (503) 378-8455 ext.289. The Department's toll free number is 1-800-624-3199.

Sincerely,

R. Craig Kohanek
Technical Services Division

c: Water Rights Section
Dist. 10. Mitch Lewis