

STATE OF OREGON

COUNTIES OF GRANT and BAKER

C E R T I F I C A T E O F W A T E R R I G H T

THIS IS TO CERTIFY, That PETE MANN IRRIGATION COMPANY, of Hereford, 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 Lightning Creek, Dry Gulch, Spring Gulch, Clear Creek and Salmon Creek, tributaries of North Fork of John Day River, for the purpose of irrigation and supplemental supply, under Permit No. 5732 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 February 10, 1921; 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 a total appropriation of 22.55 cubic feet per second and shall not exceed a diversion from any of the above named streams greater than that allowed in Water Right Certificate No. 10020 or Water Right Certificate No. 10062 for the same stream, or its equivalent in case of rotation. The points of diversion are located in the NE₁NW₄, Section 36, Township 9 South, Range 34 East, W. M., NW₂SW₄, Section 31, and SW₂SE₂, Section 32, Township 9 South, Range 35 East, W. M., and N₂, Section 4, N₂, Section 5, and NW₄, Section 6, Township 10 South, Range 35 East, W. M.

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, 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:

11.3 acres in the SW₄SW₂,
Section 27,

9.4 acres in the SW₂NW₂,
32.3 acres in the NE₄SW₄,
39.7 acres in the NW₂SW₄,
7.4 acres in the SW₄SW₄,
27.5 acres in the SE₂SW₄,
0.6 acre in the NE₄SE₂,
12.2 acres in the NW₄SE₄,
40.0 acres in the SW₂SE₂,
30.4 acres in the SE₂SE₂,
Section 28;

30.4 acres in the SW₂NE₄,
26.8 acres in the SE₂NE₄,
5.8 acres in the SW₂NW₄,
22.8 acres in the SE₂NW₄,
0.5 acre in the NE₄SW₄,
33.0 acres in the NE₄SE₄,
23.0 acres in the NW₄SE₄,
Section 29,

5.9 acres in the SW₂NE₄,
7.0 acres in the SE₂NE₄,
Section 30,

40.0 acres in the NE₁NE₁,
27.9 acres in the NW₁NE₁,
0.6 acre in the SW₁NE₁,
26.3 acres in the SE₁NE₁,
0.8 acre in the NE₁SE₁,
Section 33,

13.3 acres in the NW₁NW₁,
19.5 acres in the SW₁NW₁,
15.4 acres in the NE₁SW₁,
20.0 acres in the NW₁SW₁,
25.4 acres in the SE₁SW₁,
Section 34,

Township 10 South, Range 36 East, W. M.

5.0 acres in the SE₁SE₁,
Section 31,

0.9 acre in the SW₁SW₁,
Section 32,

Township 11 South, Range 37 East, W. M.

0.5 acre in the NE₁SW₁,
7.0 acres in the NW₁SW₁,
39.3 acres in the SW₁SW₁,
4.7 acres in the SE₁SW₁,
Section 4,

24.8 acres in the SW₁NE₁,
2.5 acres in the SE₁NE₁,
4.4 acres in the NE₁NW₁,
29.6 acres in the NW₁NW₁,
27.7 acres in the NE₁SE₁,
34.1 acres in the NW₁SE₁,
17.2 acres in the SE₁SE₁,
Section 5,

17.0 acres in the SW₁NE₁,
2.0 acres in the SE₁NE₁,
4.6 acres in the NE₁NW₁,
16.4 acres in the NW₁NW₁,
12.0 acres in the SE₁NW₁,
34.5 acres in the NE₁SE₁,
24.4 acres in the NW₁SE₁,
19.6 acres in the SE₁SE₁,
Section 9,

13.0 acres in the SE₁NW₁,
0.6 acre in the NE₁SW₁,
17.8 acres in the NW₁SW₁,
21.1 acres in the SW₁SW₁,
24.3 acres in the SE₁SW₁,
3.8 acres in the SW₁SE₁,
Section 10,

11.0 acres in the NW₁NW₁,
11.0 acres in the SW₁NW₁,
27.1 acres in the NE₁SW₁,
32.5 acres in the NW₁SW₁,
26.8 acres in the SW₁SW₁,
16.2 acres in the SE₁SW₁,
37.3 acres in the SW₁SE₁,
15.6 acres in the SE₁SE₁,
Section 14,

29.9 acres in the NE₄NE₄,
23.6 acres in the NW₄NE₄,
24.2 acres in the SW₄NE₄,
37.1 acres in the SE₄NE₄,
15.8 acres in the NE₄NW₄,
7.2 acres in the SE₄NW₄,
34.7 acres in the NE₄SE₄,
19.5 acres in the NW₄SE₄,
4.6 acres in the SW₄SE₄,
24.1 acres in the SE₄SE₄,
Section 15,

9.0 acres in the NE₄NE₄,
Section 22,

37.5 acres in the NE₄NE₄,
57.6 acres in the NW₄NE₄,
18.0 acres in the SW₄NE₄,
9.4 acres in the SE₄NE₄,
9.0 acres in the NW₄NW₄,
37.5 acres in the NE₄SE₄,
4.0 acres in the NW₄SE₄,
11.0 acres in the SW₄SE₄,
36.0 acres in the SE₄SE₄,
Section 23,

2.3 acres in the NW₄NW₄,
25.5 acres in the NE₄SW₄,
34.5 acres in the NW₄SW₄,
30.0 acres in the SW₄SW₄,
27.4 acres in the SE₄SW₄,
5.4 acres in the NE₄SE₄,
13.3 acres in the NW₄SE₄,
35.0 acres in the SW₄SE₄,
28.2 acres in the SE₄SE₄,
Section 24,

30.8 acres in the NW₄NW₄,
Section 25,
Township 12 South, Range 37 East, W. M.,
being a total of 1,803.6 acres.

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

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years' notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 47-508, Oregon Code 1950.

WITNESS the signature of the State Engineer,
affixed this 6th day of April, 1936.

State Engineer.