

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

This Is to Certify, That PETER C. TRUCHOT
of Mitchell, 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
Flood waters of Badger Creek and Fort Creek
a tributary of John Day River for the purpose of
Irrigation
under Permit No. 11075 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 October 7, 1933;

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
0.15 cubic foot per second measured at the point of diversion, being 0.05 cubic
foot per second from the flood waters of Badger Creek and 0.1 cubic foot per
second from Fort Creek,

or its equivalent in case of rotation.

The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19,
Township 12 South, Range 24 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-fortieth of one cubic foot per second
~~per acre~~ for each acre irrigated prior to June 1, and thereafter one-eightieth
of one cubic foot per second for each acre irrigated, or its equivalent, shall
not exceed one acre foot per acre during any month prior to June 1, nor exceed
a total during the irrigation season from April 1 to September 30 of each year
of four acre-feet 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:

2.75 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
1.0 acre in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 18,
3.5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
1.0 acre in the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
0.5 acre in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 19,

Township 12 South, Range 24 East, 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.

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 con-
structed 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 prop-
erty 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 1930.

WITNESS the signature of the State Engineer, affixed

this 6th day of April, 1936.

CHAS. E. STRICKLIN

State Engineer