

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **G. G. CAPON and THE ESTATE OF H. H. CAPON**

of **Kimberly** , 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
Rudio Creek
a tributary of **John Day River** for the purpose of
irrigation
under Permit No. **13843** 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 **June 19, 1939,**

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
0.12 cubic foot per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, Township 9 South,
Range 26 East, W.M. and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 10 South, Range 26 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 or its equivalent for each acre irrigated and shall
be limited to a diversion of not to exceed one acre foot per acre for each acre
irrigated during any month prior to June 1, and shall be further limited to a
total diversion of not to exceed four acre feet per acre for each acre irrigated
during the irrigation season from April 1, to September 30, 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:

3.4 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
1.2 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 36
Township 9 South, Range 26 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.

WITNESS the signature of the State Engineer, affixed

this 24th day of June , 19 58 .

LEWIS A. STANLEY

State Engineer