

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **H. F. HERBURGER, TREASURER FOR WILMER HERBURGER, MARGARET HERBURGER, JOHNSON & HAROLD HERBURGER,**

of **John Day**, State of **Oregon**, has a right to the use of

the waters of **John Day River**

for the purpose of **Irrigation**

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for **Grant** County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume **15**, at page **461**; that the priority of the right thereby confirmed dates from **1866**

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **1/40 cubic foot per second per acre irrigated from April 1 to Sept. 30; further limited to one acre-foot per acre per calendar month to July 1 and 3/4 acre-foot per acre thereafter; total five acre-feet per acre for season, measured at point of diversion.**

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

**26.0 acres in NE1/4NW1/4
Section 27,
T. 13 S., R. 30 E., W. M.**

And said right shall be subject to all other conditions and limitations contained in said decree. 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 **1st** day of **May**, 19**59**.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume **17**, page **25321**