

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

This Is to Certify, That John S. Swisher

of **Jordan Valley**, 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 **Somerville Reservoir, constructed under Permit No. R-44, and Spring Creek** a tributary of **Soldier Creek** for the purpose of **irrigation of 281 acres and domestic use**

under Permit No. **369** 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 18, 1910**

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 **3.62 cubic feet per second or its equivalent in case of rotation. The use hereunder shall conform to any reasonable rotation system ordered by the proper state officer.**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, T. 32 S., R. 44 E., 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 - - - - - 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:

3.2 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$	23.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
6.8 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$	29.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
37.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$	39.5 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
6.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$	24.5 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 4	28.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
1.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$	13.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 9
30.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$	
Section 9	

T. 32 S., R. 44 E., W.M.

This certificate is issued to confirm a change in place of use of water approved by an order of the State Engineer entered December 16, 1953, pursuant to the provisions of ORS 540.510 to 540.530, and supersedes certificate of water right heretofore issued to David Somerville and recorded at page 748, Volume 1, State Record of Water Right Certificates.

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 date. **December 7, 1960**

State Engineer