

STATE OF OREGON
STATE OF OREGON

COUNTY OF GRANT TO YTHUDD

CERTIFICATE OF WATER RIGHT

This Is to Certify, That I. B. HAZELTINE

of P.O. Box 86, Canyon City, 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 John Day River

a tributary of Columbia River for the purpose of power and irrigation of 1 acre

under Permit No. 24960 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 April 29, 1957

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 10.0 cubic feet per second, being 9.97 c.f.s. for power and 0.03 c.f.s. for irrigation

or its equivalent in case of rotation. The point of diversion is located in the SE 1/4 NW 1/4, Section 13, T. 14 S., R. 34 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 one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 5 acre feet per acre for each acre irrigated during the irrigation season of each year. The right herein granted to appropriate water for power development is limited to the use of water available at the * 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:

1 acre & power SW 1/4 NE 1/4
Section 13
T. 14 S., R. 34 E., W.M.

This certificate is issued to correct and supersede that certain water right certificate issued to I. B. Hazelatine on November 19, 1959, and recorded in State Record of Water Right Certificates, Volume 18, page 26356, so as to include provisions of ORS 537.290.

*diversion point and said right is subordinate to and inferior to all future appropriations on the John Day River and its tributaries for domestic, municipal, irrigation and industrial uses, and for storage for such uses.

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 ORS 537.290

WITNESS the signature of the State Engineer, affixed

this 9th day of June, 1961.

LEWIS A. STANLEY
State Engineer

Recorded in State Record of Water Right Certificates, Volume 20, page 28654