

STATE OF OREGON
COUNTY OF GRANT -
CERTIFICATE OF WATER RIGHT

This Is to Certify, That OTIS CUMINGS

of John Day, 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 Davis Creek

a tributary of John Day River for the purpose of irrigation of 0.17 acre

under Permit No. 28118 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 6, 1962,

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 0.01 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 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T. 13 S., R. 31 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 $\frac{1}{4}$ acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to the use of water is limited to the period when the flow of the John Day River is more than 30 c.f.s. at USGS Gage No. 14-0465 and more than 20 c.f.s. at USGS Gage No. 14-0480,

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:

0.17 acre NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 23
T. 13 S., R. 31 E., W. M.

Land on which water is to be used is part of that described as follows:

Lot 2 and North $\frac{1}{2}$, Lot 3, North Heights subdivision.

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. JANUARY 11 1963

CHRIS L. WHEELER

State Engineer