

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **JACK E. JOHNS**

of Box 174, Fox , 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 Indian Creek and waste water

a tributary of John Day River for the purpose of supplemental irrigation of 46.3 acres

under Permit No. 28932 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 August 15, 1963

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 1.16 cubic feet per second, being 0.71 c.f.s. from waste and 0.45 c.f.s. from Indian Creek

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, T. 10 S., R. 29 E., W. 14. NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, T. 11 S., R. 29 E., W. M. Diversion points located below:

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 4 acre feet per acre for each acre irrigated during the irrigation season of each year, and shall also be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water; provided further that the right to use of water is limited to the period when the flow of the John Day River is more than 55 c.f.s. at USGS Gage No. 14-0460, 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:

27.6 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
16.4 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
2.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
0.3 acre SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 4
T. 11 S., R. 29 E., W. M.

Diversion points located: Creek - 1580 feet North and 1380 feet West; Ditch - 30 feet South and 270 feet West; both from SE Corner, Section 33, T. 10 S., R. 29 E., 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 date. May 7, 1969

CHRIS L. WHEELER

State Engineer