

**STATE OF OREGON**  
 COUNTY OF **MALHEUR**  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That J. M. MCEWEN**

of **Riverside**, 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 **Visher Creek, Cob Creek and reservoir constructed under Appl. No. R-36594, Permit No. R-2863** a tributary of **South Fork Malheur River** for the purpose of **irrigation of 5.4 acres and supplemental irrigation of 83.0 acres**

under Permit No. **27922** 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 9, 1961**

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 **2.0 cubic feet per second, being 1.0 c.f.s. from Visher Creek and Reservoir and 1.0 c.f.s. from Cob Creek and Reservoir**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **Visher Creek - Lot 1 (NE¼ NE¼), Section 4; Cob Creek - Lot 3 (NE¼ NW¼), Section 5, T. 25 S., R. 37 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 from direct flow and shall be further limited to a diversion of not to exceed **3 acre feet per acre** for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under permit No. R-2863 and the right is subject to the terms and conditions of an order of the State Engineer dated **March 29, 1962** and recorded at Volume 11, pages 512 to 523, Special Order Record, and by reference made a part hereof,

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:

Primary	Supplemental	
	10.3 acres	SW¼ SW¼
	3.2 acres	SE¼ SW¼
		Section 29
	16.0 acres	NW¼ NE¼
4.4 acres	32.0 acres	NE¼ NW¼
	21.5 acres	NW¼ NW¼
1.0 acre		SE¼ NW¼
		Section 32
		T. 24 S., R. 37 E., W. M.

Diversion points located: **Visher Creek - 400 feet West and 150 feet South from NE Corner, Section 4; Cob Creek - 560 feet West and 550 feet South from NW Corner, Section 5.**

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. **October 21, 1970**

.....**CHRIS L. WHEELER**.....  
 State Engineer