

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

This Is to Certify, That HENRY RICCO

of **Prairie 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 **Clear Creek**

a tributary of **Middle Fork John Day River** for the purpose of **irrigation of 46.9 acres**

under Permit No. **28873** 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 **December 24, 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 **1.17 cubic feet 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 **NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34, T. 11 S., R. 35 E., W. M., 460 feet South and 290 feet East from NW Corner, Section 34.**

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; 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 10 cubic feet per second at USGS Gage No. 14-0440, more than 55 cubic feet per second at USGS Gage No. 14-0460, more than 30 cubic feet per second at USGS Gage No. 14-0465 and more than 20 cubic feet per second 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:

**2.4 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
21.2 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
13.6 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
9.6 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
0.1 acre NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28
T. 11 S., R. 35 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. **March 20, 1973**

CHRIS L. WHEELER

State Engineer