

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

This Is to Certify, That RUDIO RANCH, INC.

of **Kimberly**, State of **Oregon** **97848**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Rudio Creek and Waller Reservoir #1 constructed under application number R-37752, permit number R-3677** a tributary of **North Fork John Day River** for the purpose of **irrigation of 6.31 acres and supplemental irrigation of 68.09 acres**

under Permit No. **29012** 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 **June 26, 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 **1.01 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 $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 1, T. 10 S., R. 26 E., W. M., Creek - 3160 feet South and 380 feet West from NE Corner, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12; Reservoir - 550 feet South and 3840 feet West ***

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 **4 acre feet per acre** for each acre irrigated during the irrigation season of each year from direct flow and reservoir constructed under permit numbered **R-3677**; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and to the use of stored water only on the lands described as supplemental; provided further that the right to use of water for ** 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:

<u>Primary</u>	<u>Supplemental</u>	
4.01 acres	6.39 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$
	21.2 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$
	Section 36	
	T. 9 S., R. 26 E., W. M.	
0.6 acre		Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
1.7 acres	30.0 acres	Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
	10.5 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
	Section 1	
	T. 10 S., R. 26 E., W. M.	

* from NE Corner, Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 1.

** direct flow shall be limited to the period when the flow of John Day River is 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,

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. **July 5, 1973**

CHRIS L. WHEELER

State Engineer