

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 Reservoir #3 constructed under application number R-38941, permit number R-3688** a tributary of **John Day River** for the purpose of **irrigation of 77.54 acres and supplemental irrigation of 22.87 acres**

under Permit No. **29031** 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 2, 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 **2.13 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 **SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, T. 10 S., R. 26 E., W. M.; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T. 9 S., R. 26 E., W. M., Creek - 90 feet North and 70 feet West from SE Corner, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1; Res. - 1660 feet North and 150 feet West from SE Corner, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T. 10 S., R. 26 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 from direct flow and 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 storage from reservoir constructed under Permit No. R-3688, 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; provided further that the right to the use of direct flow shall be limited to the period when the flow of the John * 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:

Reservoir #3 & Rudio Creek		Reservoir #3	
Primary	Supplemental	Supplemental	
2.73 acres		0.1 acre	NW $\frac{1}{4}$ SW $\frac{1}{4}$
	3.6 acres	6.97 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$
	Section 25	0.2 acre	SE $\frac{1}{4}$ SW $\frac{1}{4}$
13.4 acres	1.7 acres		Section 25
12.9 acres		6.1 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$
2.5 acres		4.2 acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$
8.1 acres			Section 26
22.5 acres			T. 9 S., R. 26 E., W. M.
0.9 acre			
	Section 36		
	T. 9 S., R. 26 E., W. M.		
10.5 acres	Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)		
	Section 1		
	T. 10 S., R. 26 E., W. M.		

*Day River is more than 30 cubic feet per second at USGS Gage No. 14-0465 and 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