

STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **JOHNS, SMITH, & BEAMER**

of **P. O. Box 161, Athena, State of Oregon 97813**, has made proof to the satisfaction of the **STATE ENGINEER** of Oregon, of a right to the use of the waters of a well

a tributary of **Birch Creek (Umatilla River)** for the purpose of **irrigation of 2.23 acres and supplemental irrigation of 451.77 acres** under Permit No. **G-3742** 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 13, 1967**

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 **1.67 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 **SE $\frac{1}{4}$  SE $\frac{1}{4}$** , as projected within Whitney DLC 37 Section 13, T. 2 N., R. 31 E., W. M., 3230 feet South and 800 feet West from NE Corner, Whitney DLC 37.

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-eightieth** 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 **3 feet per acre** for each acre irrigated during the irrigation season of each year; 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 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  
1.23 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
1.00 acre NE $\frac{1}{4}$  SE $\frac{1}{4}$   
Both as projected within Whitney DLC 37  
Section 13  
T. 2 N., R. 31 E., W. M.

Supplemental

25.57 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
As projected within Whitney DLC 37

0.1 acre Lot 3 (NE $\frac{1}{4}$  NW $\frac{1}{4}$ )

17.8 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$

32.7 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$

24.8 acres Lot 4 (SE $\frac{1}{4}$  NW $\frac{1}{4}$ )

6.0 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$

4.0 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$

Both as projected within Whitney DLC 37

4.8 acres Lot 5 (NE $\frac{1}{4}$  SW $\frac{1}{4}$ )

11.7 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$

34.6 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$

27.8 acres Lot 6 (SE $\frac{1}{4}$  SW $\frac{1}{4}$ )

3.0 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$

7.4 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$

14.4 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$

12.0 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$

9.5 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$

All as projected within Whitney DLC 37

Section 13

15.0 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$

0.9 acre NW $\frac{1}{4}$  NE $\frac{1}{4}$

8.4 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$

26.0 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$

28.0 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$

3.3 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$

Section 14

30.0 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$

32.8 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$

37.2 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$

34.0 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$

Section 24

T. 2 N., R. 31 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 11 day of December, 1974

Chris L. Wheeler

State Engineer