

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

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

of **P. O. Box 161, Athens, 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 **two wells**

a tributary of **Wildhorse Creek** for the purpose of **supplemental irrigation of 1662.27 acres** under Permit No. **G-4356** 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 **October 7, 1968**

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 **3.20 cubic feet per second, being 1.10 cubic feet per second from well #2, and 2.10 cubic feet per second from well #3**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **#2 - Lot 7 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), #3 - Lot 6 (SE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 32, T. 4 N., R. 35 E., W. M., #2 - 2525 feet North and 690 feet West, #3 - 3370 feet North and 750 feet West, both from SE Corner, Section 32.**

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 acre 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, provided further that in the event the operation of these wells result in reduction of the natural flow of Wildhorse Creek, water from said wells in addition to that appropriated within the limitations of the duty of water as fixed * 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:

*herein, shall be discharged as ordered by the watermaster into the channel of Wildhorse Creek in the amount to offset such reduction, and provided further that the amount of water rediverted from the channel of Wildhorse Creek shall not exceed the amount by which the flow of Wildhorse Creek at the point of diversion is increased above the natural flow by the operation of said wells,

Well No. 26.00 acres Lot 6 (SE $\frac{1}{4}$ NE $\frac{1}{4}$)7.49 acres Lot 7 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)

Section 32

T. 4 N., R. 35 E., W. M.

Wells Nos. 2 & 3

39.4 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.4 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.6 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
40.4 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 11

40.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
41.6 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 13

40.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
41.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.8 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
40.8 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
40.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.6 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 14

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

Section 22

39.4 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
32.6 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
31.28 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
39.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
39.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
39.4 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 23

T. 4 N., R. 34 E., W. M.

Wells Nos. 2 & 3

38.6 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
38.2 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
20.8 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
2.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

32.8 acres Lot 6 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)

Section 24

40.4 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
39.2 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
40.4 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 25

40.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
39.8 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
38.6 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 26

39.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
39.6 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
39.6 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
39.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 27

T. 4 N., R. 34 E., W. M.

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

9.2 acres Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)

Section 19

T. 4 N., 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 11 day of December, 1974.

.....Chris L. Wheeler.....
State Engineer