

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

This Is to Certify, That OWEN G. FROERER

of **Route 2, Box 650, Nyssa**, State of **Oregon**, **97913**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Nyssa Arcadia Drainage District Drain**

a tributary of **Snake River** for the purpose of **supplemental irrigation of 81.7 acres**

under Permit No. **35131** 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 **March 25, 1970**

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 **2.04 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 29, T. 19 S., R. 47 E., W. M., 1310 feet South and 610 feet East from NW Corner, Section 29.**

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 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 is subject to the terms and conditions of an agreement between the Nyssa Arcadia Drainage District and the applicant recorded in the Miscellaneous Records of the State Engineer and by reference made a part hereof, 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:

**36.8 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
17.8 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
27.1 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 29
T. 19 S., R. 47 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. **September 15, 1975**

.....**James E. Saxson**.....
Water Resources Director ~~State Engineer~~

Recorded in State Record of Water Right Certificates, Volume **34**, page **42516**