

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **ROBERT GARRETT** 97914
of **Route 3, Box 375, Ontario**, State of **Oregon**, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Drain Ditch

a tributary of **Malheur River** for the purpose of
irrigation and supplemental irrigation of 77.3 acres

under Permit No. **34604** 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 13, 1969**

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
1.93 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 $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, T. 18 S., R. 46 E., W. M.,
40 feet North from NW Corner, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11.**

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 **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,

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:

**37.3 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 11
T. 18 S., R. 46 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. **January 27, 1976**

James E. Saxon
Water Resources Director ~~State Engineer~~

Recorded in State Record of Water Right Certificates, Volume **34**, page **42839**