

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **PATRICK O'TOOLE**

of **Box 17, Drewsey**, State of **Oregon, 97904**, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of **Stinkingwater Creek**

a tributary of **Middle Fork Malheur River**
the irrigation of **50.8 acres**

for the purpose of

under Permit No. **21742** 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 29, 1952**

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 **1.27 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 $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, T. 20 S., R. 35 E., W. M., South 14 degrees 10 minutes East 1565 feet from the SW Corner of Section 28.**

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,**

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:

**2.6 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
4.8 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
18.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
11.6 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
10.8 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
2.2 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28
T. 20 S., R. 35 E., W. M.**

This certificate is issued to confirm a change in point of diversion approved by an order entered January 26, 1973, and supersedes certificate 26614.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. **March 9, 1977**

James E. Sexson

Water Resources Director