

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That NORMAN BUTLER

of Route 1, Box 144 B, Baker, State of Oregon, 97814, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Unnamed drainageway C, Ditch YY, and Butler's Reservoir constructed under Permit No. R-6259 a tributary of Powder River for the purpose of supplemental irrigation of 197.5 acres

under Permit No. 39079 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 May 17, 1974 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 1.34 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 $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; Section 33, T. 8 S., R. 39 E., W. M., Unnamed drainageway C - 540 feet South and 5 feet East; Collection ditch YY located between points 540 feet South and 5 feet East and 1450 feet South and 5 feet East; Reservoir - 600 feet South and 680 feet East; all from the NE $\frac{1}{4}$ corner of Section 33.

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 from direct flow and shall be further limited to a diversion of not to exceed 3 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-6259,

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:

40.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28
40.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
38.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
39.5 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 33
T. 8 S., R. 39 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. 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. May 19, 1978


Water Resources Director