

STATE OF OREGON

COUNTY OF

GRANT

SUPERSEDED *by*CERTIFICATE NO. 49909

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BLUE MOUNTAIN DITCH COMPANY

of Mt. Vernon, State of Oregon, 97865, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of John Day River

a tributary of Columbia River for the purpose of irrigation of 781.9 acres

under Permit No. 3163 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 23, 1916

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 9.76 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 $\frac{1}{2}$ NE $\frac{1}{4}$, Section 29, T. 13 S., R. 30 E., W. M., SW $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{2}$ SW $\frac{1}{4}$, Section 21, NE $\frac{1}{2}$ NW $\frac{1}{4}$, Section 26, T. 13 S., R. 29 E., W. M., Boyce Ditch-South 27 degrees 30 minutes East 1817 feet from the W $\frac{1}{2}$ Corner, Section 21; 680 feet North and 780 feet West from the S $\frac{1}{2}$ Corner, Section 21; 740 feet South and 3480 feet West from the NE Corner, Section 26; SW $\frac{1}{2}$ NE $\frac{1}{4}$, Section *

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 limited to a diversion of not to exceed 1 acre foot per acre for each acre irrigated during any month prior to July 1, and thereafter 3/4 of one acre foot per acre for each acre irrigated and shall be further limited to a total diversion of not to exceed 5 acre feet per acre for each acre irrigated during the irrigation season from April 1 to September 30 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:

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* 29, T. 13 S., R. 30 E., W. M., Blue Mountain Ditch-565 feet North and 2320 feet West from the E $\frac{1}{2}$ Corner, Section 29.

8.5 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
1.2 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
36.2 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
32.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
34.3 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
36.6 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 20

21.6 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
12.5 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
9.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21

6.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
16.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 25

27.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
2.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
36.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
20.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
0.5 acre NE $\frac{1}{4}$ NW $\frac{1}{4}$
37.8 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
35.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
28.3 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
36.6 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
0.9 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$
6.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 26

8.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
37.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
8.3 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
31.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
36.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
31.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27

9.1 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
28.3 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
31.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
21.8 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 28

10.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
2.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 29

T. 13 S., R. 29 E., W. M.

0.1 acre NW $\frac{1}{4}$ NW $\frac{1}{4}$
24.1 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
6.6 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 29

7.8 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
19.3 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
1.4 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
14.7 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
6.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 30

T. 13 S., R. 30 E., W. M.

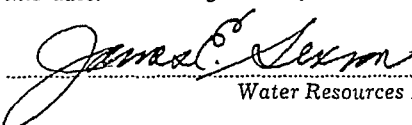
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 24504, Volume 17, State Record of Water Right Certificates, NOT canceled by the provisions of orders of the Water Resources Director entered November 18, 1963 and June 30, 1969 as well as to confirm changes in points of diversion approved by orders of the Water Resources Director entered December 13, 1961, October 29, 1963, and January 29, 1971.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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. August 24, 1978


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 38, page 46261