

STATE OF OREGON

COUNTY OF

GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JACK E. JOHNS

of Box 174, Fox, State of Oregon, 97831, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Smokers Canyon Creek and an unnamed creek, water to be diverted from unnamed creek when available with any deficiency in the available supply from the * a tributary of John Day River for the purpose of irrigation of 27.3 acres from Smokers Canyon Creek and 8.7 acres from unnamed creek under Permit No. 28933 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 April 15, 1963 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 0.88 cubic foot per second, measured at the points of diversion, being 0.68 c.f.s. from Smokers Canyon Creek and 0.20 c.f.s. from unnamed creek

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 $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, T. 10 S., R. 29 E., W. M., Smokers Canyon Creek-720 feet North and 950 feet East, 480 feet South and 1900 feet East, 1400 feet South and 2600 feet East, all from the SW Corner, Section 29, 2540 feet South and 1350 feet West from the NE Corner, Section 32; unnamed creek-180 feet South ** 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,

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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* unnamed creek to be made up by appropriation from Smokers Canyon Creek provided the total quantity diverted from both sources shall not exceed 0.22 c.f.s.

** and 800 feet East from the C $\frac{1}{4}$ Corner, Section 32.

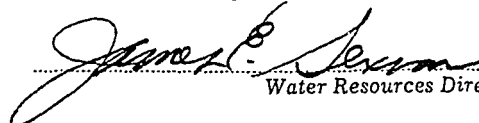
Unnamed Creek
8.7 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 32
T. 10 S., R. 29 E., W. M.

Smokers Canyon Creek
0.3 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$
0.2 acre SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 29
0.3 acre NW $\frac{1}{4}$ NE $\frac{1}{4}$
5.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
15.6 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
0.6 acre NW $\frac{1}{4}$ NW $\frac{1}{4}$
3.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
1.7 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 32
T. 10 S., R. 29 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 25, 1979


Water Resources Director