

STATE OF OREGON

COUNTY OF

WHEELER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That DONALD E. MCGHEHEY

of Box 176, Mitchell, , State of Oregon, 97750 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Mountain Creek

a tributary of John Day River for the purpose of irrigation of 15.0 acres

under Permit No. 12775 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 10, 1937

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 0.30 cubic foot per second, if available at the original point of diversion; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, T. 12 S., R. 23 E., W. M., 2450 feet South and 1150 feet East from the NW Corner, Section 17

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, T. 12 S., R. 23 E., W. M. Diversion point No. 4, 150 feet South and 940 feet West from the Center, Section 17

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, for each acre irrigated prior to June 1st and thereafter 1/80th 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 June 1st and shall be further limited to a total diversion of not to exceed 4 acre-feet per acre for each acre irrigated during the irrigation season from April 1st to September 30th 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:

13.1 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

1.5 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

0.4 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 17

T. 12 S., R. 23 E., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered May 17, 1967 and supersedes certificate of water right recorded at page 12277 Volume 11, State Record of Water Right Certificates.

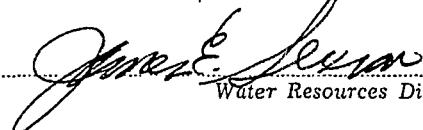
The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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, affirmed

this date.

September 13, 1979


Water Resources Director