

## STATE OF OREGON

COUNTY OF GRANT

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That A. D. FLEMING

of Kimberly, State of Oregon, 97848, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of North Fork John Day River

a tributary of John Day River for the purpose of irrigation of 18.0 acres

under Permit No. 4036 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 February 3, 1919

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 0.23 cubic foot per second, if available at the original point of diversion; SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 7, T. 9 S., R. 27 E., W.M., Simas Ditch - 1800 feet South and 975 feet East from the NE $\frac{1}{4}$  Corner, Section 7

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 12, SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 14, T. 9 S., R. 26 E., W.M., 110 feet North and 790 feet East, 1340 feet South and 2010 feet West, both from the SW Corner, Section 12

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,

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:

4.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12	11.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14
0.8 acre NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13	

T. 9 S., R. 26 E., W.M.

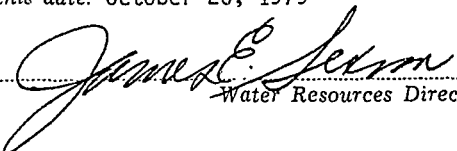
This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered May 25, 1979, and together with certificate of water right recorded at page 48237, Volume 41, State Record of Water Right Certificates supersedes certificate of water right recorded at page 46174, Volume 38, 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, affixed

this date, October 26, 1979

  
Water Resources Director