

STATE OF OREGON

COUNTY OF

GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BEN M. SPAIN

of Monument, State of Oregon 97864, 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 4.04 acres

under Permit No. 29229 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 November 6, 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 0.10 cubic foot per second, if available at the original point of diversion; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, T. 9 S., R. 27 E., W.M.; 2300 feet South and 3820 feet West from NE Corner, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4

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 $\frac{1}{4}$, Section 8, T. 9 S., R. 27 E., W.M.; 1170 feet South and 2600 feet West from NE Corner, Section 8

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 5 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the John Day River is more than 30 c.f.s. at USGS Gage No. 14-0465 and more than 20 c.f.s. at USGS Gage No. 14-0480

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:

4.04 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 8
T. 9 S., R. 27 E., W. M.

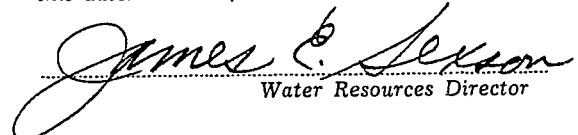
This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered on June 20, 1978 and supersedes certificate of water right recorded at page 35950, Volume 27, State Record of Water Right Certificates.

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. September 4, 1980


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 43, page 49440