

STATE OF OREGON

COUNTY OF

GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ELDON G. AND DONNA L. POWELL

of Star Route, 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 121.0 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 1.51 cubic feet 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.; 1800 feet South and 975 feet East from N $\frac{1}{4}$ 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 NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, T. 9 S., R. 26 E., W.M.; 800 feet South and 150 feet West from E $\frac{1}{4}$ Corner, Section 16

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:

SEE NEXT PAGE

28.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
33.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 15

8.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
38.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
13.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
1.0 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 16

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

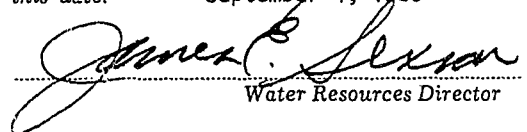
This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered on June 19, 1978 and together with certificates of water right recorded at pages 48237, Volume 41 and 48658, Volume 42, State Record of Water Right Certificates, supersede certificate recorded at page 3970, Volume 5, 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 49446