

STATE OF OREGON

COUNTY OF

MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ROBERT W. RUSSELL

of 198 SW Third Avenue, Ontario, State of Oregon 97914, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of two unnamed intermittent streams

a tributary of Snake River for the purpose of irrigation of 208.0 acres

under Permit No. 32358 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 June 7, 1967

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 4.08 cubic feet per second, being 1.56 c.f.s. from north stream and 2.52 c.f.s. from south stream, provided that the quantity of water diverted at the new point of diversion on the south stream together with that diverted at the*

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, T. 17 S., R. 47 E., W.M.; North stream - 390 feet South and 1300 feet West, South stream - 2060 feet South and 1300 feet West, both from NE Corner, Section 6; South stream - 830 feet North and 250 feet West from SE Corner, Section 6

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:

*original south stream diversion shall not exceed the quantity of water available at the old point of diversion, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, T. 17 S., R. 47 E., W.M.: 2060 feet South and 1300 feet West from NE Corner, Section 6

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19.4 acres Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
35.6 acres Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
37.9 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
38.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
27.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
39.2 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
10.3 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6
T. 17 S., R. 47 E., W.M.

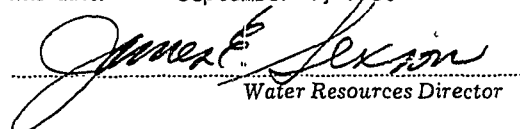
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 41250, Volume 33, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered September 5, 1978, approving transfer application No. 3446 and is issued to confirm the additional point of diversion approved by the same order and supersedes certificate 41250.

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