

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That DON CAPON

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 8.3 acres

under Permit No. 40049 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 5, 1975

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 0.21 cubic foot per second

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 1/4 SW 1/4, Section 3, T9S, R27E, WM; 1,060 feet North and 930 feet East from SW Corner, Section 3

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

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

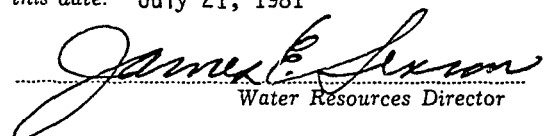
A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

7.6 acres NW 1/4 SW 1/4
0.7 acre SW 1/4 SW 1/4
Section 3
Township 9 South, Range 27 East, WM

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. July 21, 1981


Water Resources Director