

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That NELSON WILBUR

of Box 55, Drewsey, State of Oregon 97904, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Middle Fork Malheur River

a tributary of Malheur River for the purpose of irrigation of 150.1 acres

under Permit No. 14673 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 8, 1940 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 7.505 cubic feet 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 NE 1/4 SE 1/4, Section 25, T20S, R35E, WM; 1440 feet North and 780 feet West from the SE Corner, Section 25.

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-twentieth 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 1 1/2 acre-feet per acre for each acre irrigated in any 30-day period prior to June 1, 1 acre-foot per acre for each acre irrigated in any 30-day period after June 1 and shall be further limited to a total diversion of not to exceed 3 acre-feet per acre for each acre irrigated during any irrigation season,

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:

12.8 acres SE 1/4 SE 1/4
Section 25
1.2 acres NE 1/4 NE 1/4
Section 36
Township 20 South, Range 35 East, WM

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4.2 acres SW 1/4 SW 1/4
 Section 30
 7.0 acres NE 1/4 NW 1/4
 20.0 acres NW 1/4 NW 1/4
 0.1 acre SW 1/4 NW 1/4
 22.6 acres SE 1/4 NW 1/4
 0.8 acre NE 1/4 SW 1/4
 Section 31
 12.2 acres SW 1/4 SW 1/4
 Section 32
 6.0 acres SW 1/4 SE 1/4
 36.8 acres SE 1/4 SE 1/4
 Section 31
 Township 20 South, Range 36 East, WM

7.0 acres Lot 3 (SE 1/4 NW 1/4)
 17.8 acres Lot 4 (SW 1/4 NW 1/4)
 0.8 acre NW 1/4 SW 1/4
 Section 5
 0.8 acre Lot 1 (SE 1/4 NE 1/4)
 Section 6
 Township 21 South, Range 36 East, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 21426, Volume 15, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on April 19, 1984, approving Transfer Application 5436.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 minimum flows established by the Water Policy Review Board with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. May 29, 1984

.....William H. Young.....
 Water Resources Director