

## STATE OF OREGON

COUNTY OF MALHEUR

## CERTIFICATE OF WATER RIGHT

**This Is to Certify,** *That* JIM JOE and NORMA CULBERTSON

of Route 2, Vale, State of Oregon 97918, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Haymaker Gulch

a tributary of Willow Creek for the purpose of irrigation of 12.0 acres and supplemental irrigation of 49.0 acres

under Permit No. 33230 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 September 12, 1961 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 1.09 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 NW 1/4 SE 1/4, Section 16, T17S, R44E, WM; 1120 feet South and 670 feet West from the NE Corner, NW 1/4 SE 1/4, 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-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 3 acre-feet per acre for each acre irrigated during the irrigation season of each year and provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,

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:

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PRIMARY IRRIGATION

1.3 acres NW 1/4 NE 1/4  
0.5 acre SW 1/4 NE 1/4  
10.2 acres SE 1/4 NE 1/4  
Section 16  
Township 17 South, Range 44 East, WM

SUPPLEMENTAL IRRIGATION

7.0 acres NW 1/4 NE 1/4  
23.0 acres SW 1/4 NE 1/4  
4.4 acres NE 1/4 NW 1/4  
3.8 acres SE 1/4 NW 1/4  
10.8 acres NW 1/4 SE 1/4  
Section 16  
Township 17 South, Range 44 East, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 43073, Volume 35, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on March 16, 1984, approving Transfer Application 5372.

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*