COURT 1M—11-75

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* JOHN L. MAGDEN

of PO Box 161, Lostine, *State of* Oregon 97857, *has a right to the use of the waters of* South Fork Wallowa (Lostine) River

a tributary of Wallowa River *for the purpose of* irrigation of 23.7 acres and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Wallowa *County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume* 5 *, at page* 205 *; that the priority of the right thereby confirmed dates from* 1883

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.5 acre-feet per acre during any period of 30 days prior to July 31 of each year and thereafter not to exceed 1 acre-foot per acre during the entire remainder of the irrigation season, if available at the original point of diversion; SW 1/4 SW 1/4, Section 10, T1S, R43E, WM; 200 feet North and 1300 feet East *

The point of diversion is located in the NW 1/4 NE 1/4, Section 22, T1S, R43E, WM; 830 feet South and 2700 feet East from the NW Corner, Section 22 (Lostine Ditch).

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

*from the SW Corner, Section 10 (Biggs-Mill Ditch).

22.7 acres NE 1/4 NE 1/4
1.0 acre SE 1/4 NE 1/4
Section 9
Township 1 South, Range 43 East, WM

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered September 12, 1977 and together with certificate of water right recorded at page 45011, Volume 37, State Record of Water Right Certificates, supersedes Certificate 3191.

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.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date August 27 *, 19* 85.

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 48 *, page* 53416

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