

## STATE OF OREGON

COUNTY OF

WHEELER

## CERTIFICATE OF WATER RIGHT

**This Is to Certify,** *That* MORRIS E. WILSON

of PO Box 425, Condon, State of OR 97823, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Butte Creek and unnamed drainage ways No's 1, 2, and 3

a tributary of John Day River for the purpose of irrigation of 42.4 acres

under Permit No. 26849 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 24, 1960

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 1.07 cubic feet per second, being 0.93 cfs from Butte Creek, if available at the original point of diversion in the SE 1/4 NW 1/4, Section 32, T6S, R21E, WM; 1800 feet South and 2070 feet East from NW corner Section 32, 0.03 cfs\*

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 4 (SW 1/4 SW 1/4), SE 1/4 SW 1/4, Section 30, NE 1/4 NE 1/4, NW 1/4 NE 1/4, NE 1/4 NW 1/4, Section 31, SE 1/4 NW 1/4, Section 32, T6S, R21E, WM; Unnamed drainage way #1 - 1050 feet South and 1550 feet West; Unnamed drainage way #2 - 240 feet South and 2350 feet West; Unnamed drainage way #3 - 10 feet South and 3030 feet West;\*\*

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 4.0 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:

\*from unnamed drainage way #1, 0.03 cfs from unnamed drainage way #2, and 0.08 cfs from unnamed drainage way #3

\*\*Butte Creek - 1800 feet South and 2070 feet East, A - 1300 feet North and 4440 feet West, B - 270 feet North and 2980 feet West, C - 170 feet South and 1940 feet West, D - 610 feet South and 1180 feet West; all from NE corner Section 31.

SEE NEXT PAGE

Butte Creek Only

2.3 acres NE 1/4 SW 1/4  
5.2 acres Lot 3 (NW 1/4 SW 1/4)  
3.0 acres SW 1/4 SE 1/4  
Section 30

0.6 acre NE 1/4 NE 1/4  
Section 31

2.1 acres NW 1/4 NW 1/4  
5.6 acres SW 1/4 NW 1/4  
1.6 acres SE 1/4 NW 1/4  
Section 32

Butte Creek & three unnamed drains

9.8 acres Lot 3 (NW 1/4 SW 1/4)  
9.1 acres Lot 4 (SW 1/4 SW 1/4)  
0.9 acre SW 1/4 SE 1/4  
Section 30

2.1 acres NW 1/4 NE 1/4  
0.1 acre NE 1/4 NW 1/4  
Section 31

Township 6 South, Range 21 East, WM

This certificate is issued to confirm additional points of diversion approved by an order of the Water Resources Director entered August 12, 1977, and together with certificate of water right recorded at page 51743, Volume 46, State Record of Water Right Certificates, supersedes certificate 42568.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of CRS 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 flow established by the Water Resources Commission with an effective date prior to this right*  
*WITNESS the signature of the Water Resources Director, affixed*

*this date.* October 23, 1986

*/s/ William H. Young*

*Water Resources Director*

Recorded in State Record of Water Right Certificates, Volume 50 , page 55044

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