

STATE OF OREGON

COUNTY OF

MALHEUR

CERTIFICATE OF WATER RIGHT

This is to certify, That DAVID AND/OR AVELINA I. ETCHART

of PO Box 435, McDermitt, State of NV 89421, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of two unnamed streams

a tributary of Oregon Canyon Creek for the purpose of irrigation of 38.0 acres and supplemental irrigation of 32.5 acres

under Permit No. 40364 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 7, 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 0.88 cubic foot per second; being 0.48 cfs from Stream #1 and 0.40 cfs from Stream #2

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 SE 1/4, Section 28, NW 1/4 NE 1/4, Section 33, T38S, R41E, WM; #1 - 320 feet North and 2500 feet West; #2 - 250 feet South and 1350 feet West both from NE corner Section 33.

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-eighth 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 3.0 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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
Lot 1 (NE 1/4 NE 1/4)	22.3 acres	9.0 acres
Lot 2 (NW 1/4 NE 1/4)	15.5 acres	0.7 acre
SW 1/4 NE 1/4	0.2 acre	0.1 acre
SE 1/4 NE 1/4		22.7 acres
Section 2		
Township 39 South, Range 41 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 minimum flows 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. June 3, 1987

/s/ William H. Young  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 56241