

## STATE OF OREGON

COUNTY OF

GRANT

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** SMOKEY OVERTON

of Route 1, Box 233, Mt. Vernon, State of OR 97865, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of John Day River and Fields Creek

a tributary of Columbia River for the purpose of irrigation of 13.5 acres

under Permit No. 36849 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 July 17, 1972 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 0.34 cubic foot per second; being 0.08 cfs from John Day River and 0.26 cfs from Fields Creek

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 NW 1/4, Section 24, NW 1/4 SE 1/4, Section 13, T13S, R28E, WM; A - 1270 feet South and 1180 feet West; B - 510 feet South and 800 feet West; C - 1600 feet North and 1050 feet East all from S 1/4 corner Section 13.

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 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, from the John Day River and 1/40th and 4.0 acre-feet from Fields Creek,

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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Diversion "A"

7.8 acres SE 1/4 SW 1/4

Diversion "B"

2.7 acres SE 1/4 SW 1/4

Diversion "C"

0.6 acre NE 1/4 SW 1/4

2.4 acres SE 1/4 SW 1/4

Section 13

Township 13 South, Range 28 East, WM

In processing the application towards issuance of the permit, it appears that a clerical error was inadvertently made in limiting the duty of water to not exceed 1/40th of one cubic foot per second per acre and 5.0 acre feet per acre for the John Day River and Fields Creek. In the issuance of this certificate, the duty of water has been reduced to 1/40th cubic foot per second per acre and 4.0 acre feet per acre for each acre irrigated from Fields Creek during the irrigation season of each year, in keeping with the customary policy and determination of this office of the proper maximum limits. Also the date of priority was listed incorrectly. The correct date, as mentioned in our letter dated August 10, 1972, is July 17, 1972.

*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. July 2, 1987*

*/s/ William H. Young*

*Water Resources Director*