

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MALHEUR NATIONAL FOREST
528 EAST MAIN
JOHN DAY, OREGON 97845

confirms the right to use the waters of SUMMIT CREEK, a tributary of MIDDLE FORK JOHN DAY RIVER, for the purpose of IRRIGATING 8.0 ACRES.

The right has been perfected under Permit 29205. The date of priority is AUGUST 7, 1963. The right is limited to not more than 0.20 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SW 1/4, SECTION 26, T 11 S, R 35 1/2 E, W.M.; 1900 FEET NORTH & 12,080 FEET EAST FROM NE CORNER SECTION 36, T 11 S, R 35 E, W.M.

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; PROVIDED FURTHER THAT THE RIGHT TO USE WATER IS LIMITED TO THE PERIOD WHEN THE FLOW OF THE JOHN DAY RIVER IS MORE THAN 10 CFS AT USGS GAGE 14-0440, MORE THAN 55 CFS AT USGS GAGE 14-0460, MORE THAN 30 CFS AT USGS GAGE 14-0465, AND MORE THAN 20 CFS AT USGS GAGE 14-0480.

The right 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, and to which such right is appurtenant, is as follows:

SE 1/4 SE 1/4 4.0 ACRES
SECTION 27

NE 1/4 NE 1/4 4.0 ACRES
SECTION 34

TOWNSHIP 11 SOUTH, RANGE 35 1/2 EAST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right 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 7, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61783
38955.BE