

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILIP MURPHY
BOX 114
MONUMENT, OREGON 97864

*Superseded by
Certificates
68391, 68392 and 68393*

confirms the right to use the waters of NORTH FORK JOHN DAY RIVER AND COTTONWOOD CREEK, a tributary of JOHN DAY RIVER, for the purpose of IRRIGATING 34.6 ACRES.

The right has been perfected under Permit 34281. The date of priority is DECEMBER 3, 1968. The right is limited to not more than 0.865 CUBIC FOOT PER SECOND, BEING 0.155 CFS FROM N. F. JOHN DAY RIVER AND 0.71 CFS FROM COTTONWOOD CREEK, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NW 1/4 SE 1/4, SECTION 1; SW 1/4 NE 1/4, NE 1/4 SE 1/4, SECTION 12, T 9 S, R 27 E, W.M.; RIVER-970 FEET SOUTH & 340 FEET EAST; CREEK-4870 FEET SOUTH & 1110 FEET EAST; 6120 FEET SOUTH & 2270 FEET EAST; ALL FROM CENTER 1/4 CORNER OF SECTION 1.

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 from NORTH FORK JOHN DAY RIVER during the irrigation season of each year and shall be limited to a diversion of not to exceed 4.0 acre feet per acre for each acre irrigated from COTTONWOOD CREEK during the irrigation season of each year.

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:

SEE NEXT PAGE

NORTH FORK JOHN DAY RIVER

SW 1/4 SE 1/4 6.2 ACRES
SECTION 1
TOWNSHIP 9 SOUTH, RANGE 27 EAST, W.M.

COTTONWOOD CREEK

SW 1/4 NE 1/4 20.4 ACRES
SE 1/4 NE 1/4 1.2 ACRES
NE 1/4 SE 1/4 0.8 ACRE
NW 1/4 SE 1/4 6.0 ACRES
SECTION 12
TOWNSHIP 9 SOUTH, RANGE 27 EAST, W.M.

This certificate describes that portion of the water right confirmed by certificate 44181, State Record of Water Right Certificates, NOT modified by the provisions of two orders of the Water Resources Director entered NOVEMBER 25, 1987, approving transfer application 5966 and changing a portion of the right to supplemental irrigation AND an order entered JUNE 9, 1989, amending the transfer order of November 25, 1987.

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.

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 21, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61991

T-5966A.BE