

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PERRY JOHNSTON
ROUTE 1, BOX 133
WALLOWA, OREGON 97885

confirms the right to use the waters of LAZY 3 CREEK, WITH ANY DEFICIENCY IN SUPPLY TO BE DIVERTED FROM THE WALLOWA RIVER, a tributary of the GRANDE RONDE RIVER, for the purpose of IRRIGATING 45.0 ACRES.

The right has been perfected under Permit 37956. The dates of priority are MARCH 29, 1973 FOR 0.025 CUBIC FOOT PER SECOND AND JUNE 25, 1973 FOR 1.100 CFS. The right is limited to not more than 1.125 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SW 1/4 SE 1/4, SECTION 11, T 1 S, R 43 E, W.M.; WALLOWA RIVER (CROSS COUNTRY DITCH) - 1350 FEET NORTH AND 410 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 11.

NW 1/4 NE 1/4, NE 1/4 NW 1/4, SECTION 32, T 1 N, R 43 E, W.M.; LAZY 3 CREEK DIVERSION 1 - 10 FEET SOUTH AND 2020 FEET EAST FROM THE SW CORNER OF SECTION 29; DIVERSION 2 - 200 FEET SOUTH AND 2700 FEET WEST, DIVERSION 3 - 380 FEET SOUTH AND 1870 FEET WEST, BOTH FROM THE NE CORNER OF SECTION 32.

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 3.5 acre-feet per acre for each acre irrigated 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:

SE 1/4 SW 1/4 32.1 ACRES
SW 1/4 SE 1/4 4.6 ACRES
SECTION 29

NW 1/4 NE 1/4 7.3 ACRES
NE 1/4 NW 1/4 1.0 ACRES
SECTION 32

TOWNSHIP 1 NORTH, RANGE 43 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 SEPTEMBER 28, 1990.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 64780.

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