

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DUNCAN MACKENZIE
ROCKVILLE ROUTE
JORDAN VALLEY, OREGON 97910

confirms the right to use the waters of SPRING CREEK, a tributary of OWYHEE RIVER, for IRRIGATION OF 51.1 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for MALHEUR County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 9, at Page 53. The date of priority is 1894.

The points of diversion are located as follows:

SW 1/4 SE 1/4, SECTION 27, T 26 S, R 44 E, W.M.; 430 FEET NORTH AND 2370 FEET EAST FROM THE SW CORNER OF SECTION 27.

NE 1/4 NE 1/4, SECTION 34, T 26 S, R 44 E, W.M.; 60 FEET SOUTH AND 1260 FEET WEST FROM THE NE CORNER OF SECTION 34.

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion NOT TO EXCEED 2.0 ACRE-Feet PER ACRE PRIOR TO JUNE 1st, AND 1/2 ACRE FOOT PER ACRE DURING ANY CALENDAR MONTH AFTER JUNE 1st, OF EACH IRRIGATION SEASON FROM APRIL 1st, TO OCTOBER 15th.

A description of the place of use to which this right is appurtenant is as follows:

SE 1/4 SE 1/4	0.5 ACRE
SECTION 21	
SW 1/4 SW 1/4	2.1 ACRES
SECTION 22	
NW 1/4 NW 1/4	5.2 ACRES
SW 1/4 NW 1/4	7.1 ACRES
NE 1/4 SW 1/4	2.4 ACRES
NW 1/4 SW 1/4	14.2 ACRES
SE 1/4 SW 1/4	7.6 ACRES
SECTION 27	
NE 1/4 NE 1/4	6.6 ACRES
SE 1/4 NE 1/4	5.1 ACRES
NE 1/4 SE 1/4	0.3 ACRE
SECTION 28	
TOWNSHIP 26 SOUTH, RANGE 44 EAST, W.M.	

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The following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the user is entitled;

the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm a change for an additional POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 1, 1982, and supersedes Certificate 8327, State Record of Water Right Certificates.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed SEPTEMBER 30, 1992.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67872.

T-4962.DSM