

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DERBY SMITH PARTNERS
15 SW COLORADO STREET
BEND, OR 97701

confirms the right to use the waters of JOHN DAY RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION OF 7.2 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for GRANT COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at Page 461. The date of priority is 1900.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1/40 CUBIC FOOT PER SECOND PER ACRE IRRIGATED FROM APRIL 1 TO SEPTEMBER 30; FURTHER LIMITED TO ONE ACRE-FOOT PER ACRE PER CALENDAR MONTH; TOTAL OF FIVE ACRE-FEET PER ACRE FOR SEASON, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 SW 1/4, SECTION 12, T 9 S, R 19 E, W.M.: 1290 FEET NORTH AND 1660 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 12.

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

NE 1/4 NW 1/4	5.8 ACRES
NW 1/4 NW 1/4	1.1 ACRES
SE 1/4 NW 1/4	0.3 ACRES
SECTION 13	
TOWNSHIP 9 SOUTH, RANGE 19 EAST, W.M.	

This certificate is issued to confirm a change in USE, PLACE OF USE, AND POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 24, 1992, and supersedes Certificate 25739, 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 OCTOBER 23, 1995.

 **Steven P. Applegate**

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68636.

T-6737A.DEK