

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN AND ELFREDA SWORD  
P.O. BOX 285  
DREWSEY, OREGON 97904

confirms the right to use the waters of MIDDLE FORK MALHEUR RIVER, a tributary of SNAKE RIVER, for IRRIGATING 39.5 ACRES.

This right was perfected under Permit 51030. The date of priority is SEPTEMBER 28, 1987 - FOR 0.06 CUBIC FOOT PER SECOND, AND FEBRUARY 16, 1988 - FOR 0.93 CUBIC FOOT PER SECOND. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.99 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:

SE 1/4 SE 1/4, SECTION 32, T 18 S, R 34 E, W.M.; 130 FEET NORTH AND 380 FEET WEST FROM THE SE 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, is 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

NE 1/4 NE 1/4 16.5 ACRES  
NW 1/4 NE 1/4 23.0 ACRES  
SECTION 29  
TOWNSHIP 19 SOUTH, RANGE 34 EAST, W.M.

Failure to comply with any of the provisions of this right may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed DECEMBER 27, 1995.

Steven P. Applegate

for Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68729.

BASIN 10  
69329.JM

VOLUME 1 MIDDLE FORK MALHEUR RIVER MISC.

DISTRICT 10