

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM R. ROBERTSON
PO BOX 26
DREWSEY, OR 97904

confirms the right to use the waters of the MIDDLE FORK MALHEUR RIVER, a tributary of the MALHEUR RIVER, for the purpose of IRRIGATING 17.0 ACRES.

This right was perfected under Permit 14673. The date of priority is NOVEMBER 8, 1940. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.85 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

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-TWENTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be limited to a diversion of not to exceed 1.5 ACRE- FEET PER ACRE FOR EACH ACRE IRRIGATED IN ANY 30-DAY PERIOD PRIOR TO JUNE 1ST; 1.0 ACRE-FOOT PER ACRE FOR EACH ACRE IRRIGATED IN ANY 30-DAY PERIOD AFTER JUNE 1ST; AND SHALL BE FURTHER LIMITED TO A TOTAL DIVERSION OF NOT TO EXCEED 3.0 ACRE- FEET PER ACRE FOR EACH ACRE IRRIGATED DURING ANY IRRIGATION SEASON.

The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.85 CFS.

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 31, T 20 S, R 36 E, W.M.; 2130 FEET NORTH AND 1010 FEET WEST FROM THE SE CORNER OF SECTION 31.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NE 1/4 SE 1/4 6.8 ACRES
NW 1/4 SE 1/4 10.2 ACRES
SECTION 31
TOWNSHIP 20 SOUTH, RANGE 36 EAST, W.M.

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 wateruser 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.

SEE NEXT PAGE

T-5436.KDD

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered APRIL 19, 1984, and together with Certificate 52032, supersedes Certificate 21426, 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.

WITNESS the signature of the Water Resources Director, affixed MARCH 4, 1997.

/S/ Richard D. Bailey

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 74180.

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