

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TED BARNHOUSE  
EAST STAR ROUTE  
JOHN DAY, OREGON 97845

confirms the right to use the waters of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for the purpose of IRRIGATION OF 76.6 ACRES.

The right has been 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 1867.

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 9, T 13 S, R 33 E, W.M.; 1390 FEET NORTH AND 420 FEET WEST FROM THE SE CORNER OF SECTION 9.

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 from April 1 to September 30 and shall be further limited to one acre-foot per acre per calendar month to July 1 and three-fourths acre-foot per acre thereafter for a diversion of not to exceed five acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

SW 1/4 SW 1/4	2.0 ACRES	NE 1/4 NW 1/4	21.8 ACRES
SE 1/4 SW 1/4	20.0 ACRES	NW 1/4 NW 1/4	28.8 ACRES
SECTION 9		SECTION 1	

NE 1/4 NE 1/4 3.0 ACRES  
SE 1/4 NE 1/4 1.0 ACRE  
SECTION 17

TOWNSHIP 13 SOUTH, RANGE 33 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; and

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.

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

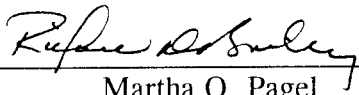
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This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JANUARY 21, 1982, confirms the right not canceled by Special Order recorded in Volume 35, Page 560, Special Order Records of the Water Resources Director, and supersedes certificates 46387, 46388 and 46399, 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 shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date JANUARY 15, 1998.

  
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Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75446.