

STATE OF OREGON

COUNTY OF WHEELER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ESTATE OF JAMES DUMLER
c/o CAROL DUMLER
43627 KAHLER BASIN ROAD
SPRAY, OREGON 97874

confirms the right to use the waters of HENRY CREEK, a tributary of the JOHN DAY RIVER, for IRRIGATION OF 19.5 ACRES.

This right was perfected under Permit 42647. The date of priority is NOVEMBER 10, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.48 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:

SW 1/4 SW 1/4, SECTION 33, TOWNSHIP 7 SOUTH, RANGE 25 EAST, W.M.;
175 FEET SOUTH AND 690 FEET EAST FROM THE NORTHWEST CORNER OF THE SW
1/4 SW 1/4, SECTION 33.

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 5.0 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.

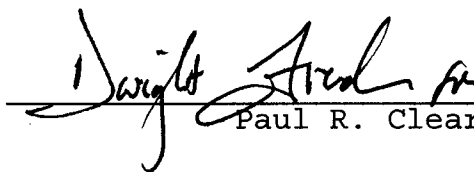
A description of the place of use to which this right is appurtenant is as follows:

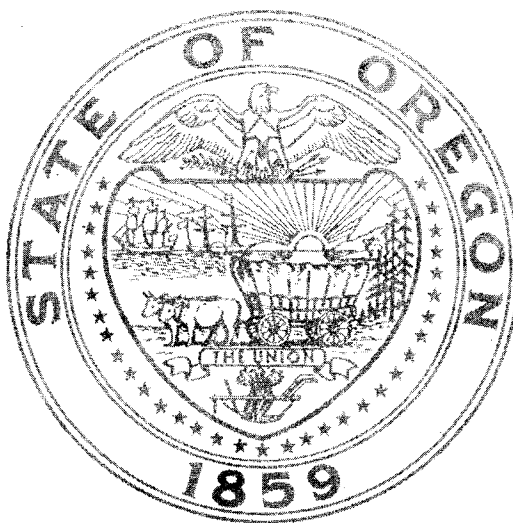
SW 1/4 SW 1/4 17.0 ACRES
SECTION 33
TOWNSHIP 7 SOUTH, RANGE 25 EAST, W.M.
NW 1/4 NW 1/4 2.5 ACRES
SECTION 4
TOWNSHIP 8 SOUTH, RANGE 25 EAST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

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 February 7, 2003.


Paul R. Cleary



Recorded in State Record of Water Right Certificates Number 79881.

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