

STATE OF OREGON  
COUNTY OF GILLIAM  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TANIS JOHNSON  
18217 MIDDLE ROCK CREEK ROAD  
ARLINGTON, OR 97812

confirms the right to use the waters of ROCK CREEK, a tributary of JOHN DAY RIVER, for IRRIGATION of 12.8 acres and STOCK.

This right was confirmed by decree of the Circuit Court of the State of Oregon for GILLIAM 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 1880.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed ONE-FORTIETH cubic foot per second per acre irrigated to June 1 and ONE-EIGHTIETH cubic foot per second per acre thereafter; further limited to one acre-foot per calendar month to June 1 and four acre-feet per acre during season April 1 to September 30, if available at the authorized point of diversion, or its equivalent in the case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 10, T 1 S, R 21 E, W.M.; 300 FEET SOUTH AND 300 EAST FROM N $\frac{1}{4}$  CORNER, SECTION 10.

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

SW $\frac{1}{4}$  SE $\frac{1}{4}$  9.0 ACRES  
SECTION 3

NW $\frac{1}{4}$  NE $\frac{1}{4}$  3.8 ACRES  
SECTION 10  
TOWNSHIP 1 SOUTH, RANGE 21 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 must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered JUL 14 2004, approving Transfer Application 9554 and supercedes Certificate 25036, State Record of Water Right Certificates.

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 and to the following additional conditions:

1. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
2. When required by the Department, the water user shall operate and maintain the headgate and measuring device, as needed. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor the accuracy of the measuring device, as needed.
3. Prior to October 1, 2005, the water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

Issued July 14, 2004.

  
Phillip C. Ward  
Acting Director

Recorded in State Record of Water Right Certificates numbered 80772