

This is a final order in other than a 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 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS AND ROSEMARY WARE  
PO BOX 164  
DAYVILLE, OR 97825

confirms the right to use the waters of the SOUTH FORK JOHN DAY RIVER, a tributary of the JOHN DAY RIVER, for IRRIGATION OF 5.4 ACRES.

This right was perfected under Permit 18768. The date of priority is MAY 18, 1949. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.14 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:

NW 1/4 NE 1/4, SECTION 24, TOWNSHIP 13 SOUTH, RANGE 26 EAST, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a 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 4 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.

S-23791

CERTIFICATE NUMBER 81377

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

NW /14 SE 1/4      5.4 ACRES  
SECTION 13  
TOWNSHIP 13 SOUTH, RANGE 26 EAST, W.M.

Land on which water is to be used is a part of that described as follows:

That part of the above land lying between the Cummings Ditch (as presently located) and the South Fork of the John Day River.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE POINT OF DIVERSION LOCATION AND SUPERSEDES CERTIFICATE 21085.

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. 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.

Issued MAY 26, 2005.

  
Phillip C. Ward, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates numbered 81377.

S-23791.LHN.