

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

U.S. MALHEUR NATIONAL FOREST  
431 PATTERSON BRIDGE ROAD  
JOHN DAY, OREGON 97845

confirms the right to use the waters of HIGH FORKS SPRING, JD SPRING, TRAIL SPRING, 1541 F SPRING, BIG CANYON SPRING, SECTION 30 SPRING, SEDGE POND, H SPRING, I POND SPRING, CRAZY SPRING AND CHAMBERS SPRING tributaries to CANYON CREEK-MAINSTEM of the JOHN DAY RIVER for STOCK WATERING.

This right was perfected under Permit 47865. The date of priority is OCTOBER 4, 1982. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.015 CUBIC FOOT PER SECOND (CFS) FROM EACH SOURCE PROVIDED THE TOTAL QUANTITY DIVERTED FROM THE COMBINED SOURCES SHALL NOT EXCEED 0.015 CFS, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

HIGH FORKS SPRING: NE 1/4 NE 1/4, SECTION 25, TOWNSHIP 15 SOUTH, RANGE 32 EAST, W.M.; 800 FEET SOUTH AND 1100 FEET WEST OF NE CORNER OF SECTION 25; AND

JD SPRING: NW 1/4 SE 1/4, SECTION 4, TOWNSHIP 16 SOUTH, RANGE 32 EAST, W.M.; 1350 FEET NORTH AND 2650 FEET EAST OF SW CORNER OF SECTION 4; AND

S-64395.LHN

CERTIFICATE NUMBER 81433

TRAIL SPRING: SE 1/4 NW 1/4, SECTION 10, TOWNSHIP 16 SOUTH,  
RANGE 32 EAST, W.M.; 1400 SOUTH AND 1400 FEET  
EAST OF NW CORNER OF SECTION 10; AND

1541 F SPRING: NE 1/4 SE 1/4, SECTION 11, TOWNSHIP 16 SOUTH,  
RANGE 32 EAST, W.M.; 3000 FEET SOUTH AND 800  
FEET WEST OF NE CORNER OF SECTION 11; AND

BIG CANYON SPRING: SE 1/4 NE 1/4, SECTION 12, TOWNSHIP 16 SOUTH,  
RANGE 32 EAST, W.M.; 2600 FEET NORTH AND 600  
FEET WEST OF SE CORNER OF SECTION 12; AND

SECTION 30 SPRING: SE 1/4 SE 1/4, SECTION 30, TOWNSHIP 15 SOUTH,  
RANGE 33 EAST, W.M.; 750 FEET NORTH AND 850  
FEET WEST OF SE CORNER OF SECTION 30; AND

SEDGE POND: NE 1/4 SW 1/4, SECTION 31, TOWNSHIP 15 SOUTH,  
RANGE 33 EAST, W.M.; 1650 FEET NORTH AND 2400  
FEET EAST OF SW CORNER OF SECTION 31; AND

H SPRING: NW 1/4 SE 1/4, SECTION 32, TOWNSHIP 15 SOUTH,  
RANGE 33 EAST, W.M.; 2100 FEET NORTH AND 2000  
FEET WEST OF SE CORNER OF SECTION 32; AND

I POND SPRING: NW 1/4 SW 1/4, SECTION 33, TOWNSHIP 15 SOUTH,  
RANGE 33 EAST, W.M.; 2550 FEET NORTH AND 400  
FEET EAST OF SW CORNER OF SECTION 33; AND

CRAZY SPRING: SW 1/4 SE 1/4, SECTION 33, TOWNSHIP 15 SOUTH,  
RANGE 33 EAST, W.M.; 300 FEET NORTH AND 1700  
FEET WEST OF SE CORNER OF SECTION 33; AND

CHAMBERS SPRING: SW 1/4 SE 1/4, SECTION 6, TOWNSHIP 16 SOUTH,  
RANGE 33 EAST, W.M.; 300 FEET NORTH AND 2250  
FEET WEST OF SE CORNER OF SECTION 6.

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:

NE 1/4 NE 1/4 HIGH FORKS SPRING  
SECTION 25  
TOWNSHIP 15 SOUTH, RANGE 32 EAST, W.M.

NW 1/4 SE 1/4 JD SPRING  
SECTION 4  
TOWNSHIP 16 SOUTH, RANGE 32 EAST, W.M.

SE 1/4 NW 1/4 TRAIL SPRING  
SECTION 10  
TOWNSHIP 16 SOUTH, RANGE 32 EAST, W.M.

NE 1/4 SE 1/4 1541 F SPRING  
SECTION 11  
TOWNSHIP 16 SOUTH, RANGE 32 EAST, W.M.

SE 1/4 NE 1/4 BIG CANYON SPRING  
SECTION 12  
TOWNSHIP 16 SOUTH, RANGE 32 EAST, W.M.

SE 1/4 SE 1/4 SECTION 30 SPRING  
SECTION 30  
TOWNSHIP 15 SOUTH, RANGE 33 EAST, W.M.

NE 1/4 SW 1/4 SEDGE POND  
SECTION 31  
TOWNSHIP 15 SOUTH, RANGE 33 EAST, W.M.

NW 1/4 SE 1/4 H SPRING  
SECTION 32  
TOWNSHIP 15 SOUTH, RANGE 33, EAST, W.M.

NW 1/4 SW 1/4 I POND SPRING  
SECTION 33  
TOWNSHIP 15 SOUTH, RANGE 33 EAST, W.M.

SW 1/4 SE 1/4 CRAZY SPRING  
SECTION 33  
TOWNSHIP 15 SOUTH, RANGE 33 EAST, W.M.

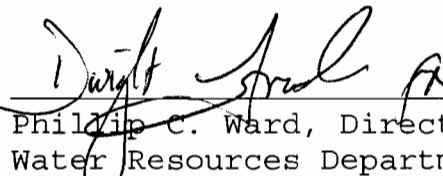
SW 1/4 SE 1/4 CHAMBERS SPRING  
SECTION 6  
TOWNSHIP 16 SOUTH, RANGE 33 EAST, W.M.

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.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE LOCATION OF CRAZY SPRING AND SUPERSEDES CERTIFICATE 79184.

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.

Issued JUNE 30, 2005.

  
Philip C. Ward, Director  
Water Resources Department



Recorded in State Record of Water Right Certificate Number 81433.

S-64395.LHN