

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LEO AND DIANE HOLTHOUSE
25039 HWY 395 SOUTH
CANYON CITY, OREGON 97820

confirms the right to use the waters of CUMMINGS CREEK, a tributary of the JOHN DAY RIVER, for IRRIGATION of 13.0 acres.

This right was perfected under Permit 4497. The date of priority is March 12, 1920. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.16 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION DESCRIBED AS BEING LOCATED WITHIN THE SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 15, TOWNSHIP 13 SOUTH, RANGE 28 EAST, W.M.; SOUTH 14° 30' EAST, 1793 FEET FROM THE NORTHWEST CORNER OF SECTION 15), or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 3, TOWNSHIP 13 SOUTH, RANGE 28 EAST, W.M.; 1320 FEET NORTH AND 2350 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 3.

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 diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year. This right limited to any deficiency in the available supply of any prior right existing for the same land.

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:

NW¼ NE¼ 2.0 ACRES
NE¼ NW¼ 11.0 ACRES
SECTION 16
TOWNSHIP 13 SOUTH, RANGE 28 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 water user 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.

This certificate describes that portion of the water right described by Certificate 80792, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered February 29th, 2006, approving Transfer Application 9590.

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.

WITNESS the signature of the Water Resources Director, affixed February 27th, 2006.

For Phillip C. Ward
Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81894.