

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

JACK O. AND PAULINE G. SWECK
PO BOX 355
MONUMENT, OREGON 97864

confirms the right to use the waters of NORTH FORK JOHN DAY RIVER, a tributary of the JOHN DAY RIVER, for IRRIGATION OF 32.2 ACRES.

This right was perfected under Permit 32445. The date of priority is MARCH 20, 1967. This right is limited to 0.28 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE OLD POINT OF DIVERSION: SW 1/4 SW 1/4, SECTION 3, T 9 S, R 27 E, W.M.; 3660 FEET SOUTH AND 6460 FEET EAST FROM NW CORNER, SECTION 4), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 4, T 9 S, R 27 E, W.M.; 4150 FEET SOUTH AND 5250 FEET EAST FROM THE NW CORNER, SECTION 4.

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-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre-feet 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.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.28 cubic foot per second.

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

NW 1/4 SW 1/4 4.6 ACRES
SW 1/4 SW 1/4 0.5 ACRE

SECTION 3

SE 1/4 NE 1/4 12.0 ACRES
NE 1/4 SE 1/4 14.9 ACRES
SE 1/4 SE 1/4 0.2 ACRE

SECTION 4

TOWNSHIP 9 SOUTH, RANGE 27 EAST, W.M.

When in the judgement 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;

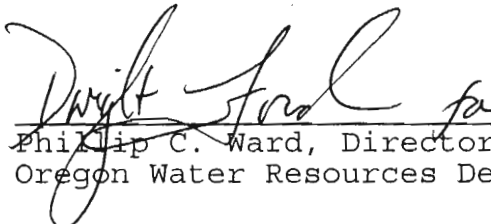
the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 2, 1984, approving Transfer Application 5526, and together with Certificate 52552, supersedes Certificate 39755, 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. 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

NOV 27 2006


Philip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82456