

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

HANS C. AND MARY B. ESKILDSON
STAR ROUTE WEST
MT VERNON OR 97865

confirms the right to use the waters of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 2.5 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for GRANT County. The decree is of record at Salem, in the Order of Record of the WATER RESOURCES DIRECTOR, in Volume 15, at Page 461. The date of priority is 1890.

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 per acre irrigated from April 1 to September 30; further limited to one acre-foot per acre per calendar month to July 1 and 3/4 acre-foot per acre thereafter; total five acre-feet per season, measured at the point of diversion ORIGINAL POINT OF DIVERSION: NE 1/4 SE 1/4, SECTION 14, T 13 S, R 28 E, W.M.; 280 FEET NORTH AND 480 FEET WEST FROM THE E 1/4 CORNER, SECTION 14).

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 14, T 13 S, R 28 E, W.M.; 415 FEET SOUTH AND 1680 FEET EAST FROM THE C 1/4 CORNER, SECTION 14.

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.

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

NE 1/4 SE 1/4 2.5 ACRES
SECTION 14
TOWNSHIP 13 SOUTH, RANGE 28 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.

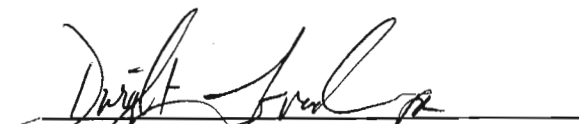
When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the wateruser 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 AND PLACE OF USE approved by an order of the Water Resources Director entered on November 16, 1977, approving Transfer Application T-3746, and together with Certificate 82304 supersedes Certificate 25581, Volume 17, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, **NOV 27 2006.**


Phillip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82739.