

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

ELMWOOD RANCHES
RT 2, BOX 681
PRAIRIE CITY, OREGON 97869

confirms the right to use the waters of JOHN DAY RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION OF 6.5 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 Record of the WATER RESOURCES DIRECTOR, in Volume 15, at Page 461. The date of priority is 1869.

The amount of water this right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used and shall not exceed ONE-FORTIETH cubic foot per second per acre irrigated from April 1 to September 30; further limited to 1.0 foot per acre calendar month to July 1 and 3/4 acre-foot per acre thereafter; total 5.0 acre-feet per acre per season, if available at the original point of diversion; Dexter Ditch, SW 1/4 NW 1/4, SECTION 11, T 13 S, R 33 E, W.M.; 1700 feet South and 60 feet East from the NE Corner, Section 10.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 10, T 13 S, R 33 E, W.M.; 2620 FEET SOUTH AND 1460 FEET WEST FROM THE NE CORNER, SECTION 10.

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:

SW 1/4 NE 1/4 6.5 ACRES
SECTION 10
TOWNSHIP 13 SOUTH, RANGE 33 EAST, W.M.

The quantity of water diverted at new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right.

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 SEPTEMBER 28, 1987, approving Transfer Application 5969, and supersedes certificate 39589, 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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed

NOV 27 2006


Phillip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates Number 82810.

T-5969.JWG