

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 WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

H. KELLY MCGREER
BOX 37
ANTELOPE, OREGON 97001

confirms the right to use the waters of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 15.8 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 1907.

The amount of water to which this right is entitled 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 ONE ACRE FOOT PER CALENDAR MONTH; TOTAL OF FIVE ACRE FEET PER ACRE FOR THE SEASON, if available at the original point of diversion located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T 8 S, R 19 E, WM; 2750 FEET NORTH AND 500 FEET WEST FROM THE SE CORNER, SECTION 9, measured at the point of diversion.

The points of diversion are is located as follows:

LOT 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), SECTION 4, T 8 S, R 19 E, WM; 3780 FEET NORTH AND 350 FEET WEST FROM THE SE CORNER, SECTION 4.

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 9, T 8 S, R 19 E, WM; 4440 FEET SOUTH AND 3440 FEET WEST FROM THE NE CORNER, SECTION 9.

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

LOT 5 (SW¹/₄ NW¹/₄) 4.4 ACRES
SECTION 3

SE¹/₄ NE¹/₄ 11.4 ACRES
SECTION 4
TOWNSHIP 8 SOUTH, RANGE 19 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.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original point of diversion under the subject right.


This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered on SEPTEMBER 28, 1987, and together with Certificate 57534 supersedes Certificate 45229, State Record of Water Right Certificates.

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

MAY 04 2007



Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates numbered 83273

T-5970.LHN