

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This is to Certify, That JOHN S. SWISHER

of Rt. 2, Caldwell, State of Idaho has a right to the use of

the waters of Jordan Creek for Tracts Nos. 1 and 2; Jordan and Trout Creeks for Tract No. 3; Willow and Rye Grass Lands, Tract #4; for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Malheur County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 9, at page 1; that the priority of the right thereby confirmed dates from 1871 for Tract #1; 1882 for Tract #2; 1873 for Tract #3; and Tract #4 without date of priority

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2 acre feet per acre prior to June 1st, and $\frac{1}{2}$ acre foot per acre during any calendar month after June 1st, of each irrigation season from April 1st to October 15th, for Tracts Nos. 1, 2, and 3.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

1871 TRACT #1: 9.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 24.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 16.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, 30.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 36.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, T. 30 S., R. 46 E., W.M., being a total of 117.8 acres.

1872 TRACT #2: 35 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 39.7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 39.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 38.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 39.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10, T. 30 S., R. 46 E., W.M., being a total of 192.6 acres.

1873 TRACT #3: 6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, T. 30 S., R. 46 E., W.M.

TRACT #4: The following are willow and rye grass lands, allowed a right by said decree, without date of priority, with the provision that such lands should be entitled to 2 acre feet of water per acre prior to June 1st of each year, and should not receive water thereafter:

25.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 9.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 3.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, 9.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, T. 30 S., R. 46 E., W.M., being a total of 56.2 acres.

And said right shall be subject to all other conditions and limitations contained in said decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 20th day

of November, 1929.

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MIEA LUPER,

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 8, page 3368.