

STATE OF OREGON

COUNTY OF WHEELER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALBERT M AND SHIRLEY A GARBER
BOX 87
SPRAY OREGON 97874

SUPERSEDED BY
CERT. NO. 88560

confirms the right to use the waters of JOHN DAY RIVER, tributary to the COLUMBIA RIVER, for IRRIGATION of 3.6 ACRES.

This right was perfected under Permit 26002. The date of priority is JANUARY 19, 1959. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.07 CUBIC FOOT PER SECOND, if available at the original point of diversion located in the NE¼ SE¼ SECTION 1, T 9 S, R 24 E, WM; 2070 FEET NORTH AND 930 FEET WEST FROM THE SE CORNER, SECTION 1, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
9 S	25 E	WM	6	NE SW			1500 FEET NORTH AND 2350 FEET EAST FROM SW CORNER, SECTION 6

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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
9 S	25 E	WM	6	NE SW			3.6

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.

When required by the Watermaster, the water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The types and plans of the headgate and measuring device must be approved by the Watermaster prior to beginning construction and shall be installed under the general supervision of the Watermaster.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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.


general supervision of the Watermaster.

This certificate is issued to confirm a change in point of diversion approved by an order of the Deputy Director, Water Resources Department, entered July 20, 1983, at Special Order Volume 37, Page 394, approving Transfer Application 5276, and together with Certificate 51880, supersedes Certificate 47232, State Record of Water Right Certificates.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

Issued MAR 21 2008.



Phillip C. Ward, Director
Water Resources Department