

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RODNEY H. SMITH
PO BOX 174
CANYON CITY, OREGON 97820

confirms the right to use the waters of 4 SPRINGS, tributaries of Canyon Creek for DOMESTIC USE FOR THREE FAMILIES, STOCK, AND IRRIGATION OF 0.68 ACRE.

This right was perfected under Permit 38896. The date of priority is DECEMBER 17, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.04 CUBIC FOOT PER SECOND (CFS); BEING 0.02 CFS FOR IRRIGATION, 0.01 CFS FOR DOMESTIC USE, AND 0.01 CFS FOR STOCK, or its equivalent in case of rotation, measured at the point of diversion. Water to be diverted from Spring 1 when available, with any deficiency in the available supply from Spring 1 to be made up by appropriation from Springs 2, 3, and 4, provided the total quantity diverted from all sources shall not exceed 0.04 CFS.

The points of diversion are located as follows:

Spring	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1	14 S	31 E	WM	1	SW SW	550 FEET NORTH AND 670 FEET EAST FROM SW CORNER, SECTION 1
2	14 S	31 E	WM	12	NE NW	654 FEET SOUTH AND 916 FEET WEST FROM N¼ CORNER, SECTION 12.
3	14 S	31 E	WM	12	NE NW	804 FEET SOUTH AND 916 FEET WEST FROM N¼ CORNER, SECTION 12.
4	14 S	31 E	WM	12	SE NW	1912 FEET SOUTH AND 510 FEET WEST FROM N¼ CORNER, SECTION 12.

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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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.

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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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


DOMESTIC				
Twp	Rng	Mer	Sec	Q-Q
14 S	31 E	WM	1	SW SW
14 S	31 E	WM	2	SE SE

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	31 E	WM	1	SW SW	0.66
14 S	31 E	WM	2	SE SE	0.02

STOCK				
Twp	Rng	Mer	Sec	Q-Q
14 S	31 E	WM	1	SW SW

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.

Issued JUN 06 2008


 Phillip C. Ward, Director
 Water Resources Department