

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

Cancelled due to  
T- 16749 Sp. Or.  
Vol 80 P. 231

Superseded by  
Cert No. 86040

THIS CERTIFICATE ISSUED TO

CITY OF DAYVILLE  
PO BOX 321  
DAYVILLE OREGON 97825

**SUPERSEDED BY**  
**CERT. NO. 88750**

confirms the right to use the waters of SOUTH FORK JOHN DAY RIVER, tributary to JOHN DAY RIVER for MUNICIPAL USE.

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 JANUARY 11, 1897.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 5.0 CUBIC FEET PER SECOND (CFS), if available at the original points of diversion, the Dayville Ditch and Spring near the line between SW¼ SE¼ and SE¼ SE¼, Section 11, T 13 S, R 26 E, WM, provided the total diverted by all rights established by Certificate 25492 shall not exceed 5.0 cfs, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
PUMP	13 S	26 E	WM	1	NE SE	1750 FEET NORTH AND 360 FEET WEST FROM SW CORNER, SECTION 1
CUMMINGS DITCH	13 S	26 E	WM	24	NW NE	1200 FEET SOUTH AND 140 FEET EAST FROM THE N¼ CORNER, SECTION 24

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

WITHIN THE CITY OF DAYVILLE, OREGON

The quantity of water diverted at the new points of diversion shall not exceed the quantity of water available at the original points of diversion.

When required by the Department, 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 Department prior to beginning construction and shall be installed under the general supervision of the Department.

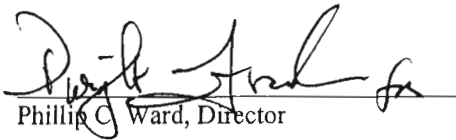
**NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW**

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.

This certificate is issued to confirm changes in POINTS OF DIVERSION approved by an order of the Water Resources Director entered MARCH 6, 1990, at Special Order Volume 44, Page 116, approving Transfer Application 6317, and together with Certificate 84236, supersedes Certificate 25492, 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.

Issued JUL 31 2008

  
Phillip C. Ward, Director