

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HERMAN AND FRANK OLIVER  
JOHN DAY OR 97845

confirms the right to use the waters of INDIAN CREEK, a tributary to the JOHN DAY RIVER for IRRIGATION of 309.1 ACRES AND DOMESTIC 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 1864 – TRACT 1; 1872 – TRACT 2; 1879 – TRACT 3; 1885 – TRACT 4.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 cubic foot per second per acre thereafter; further limited to 1.0 acre-foot per calendar month to June 1 and 4.0 acre-feet per acre during season April 1 to September 30, measured at the point of diversion.

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

Twp	Rng	Mer	Sec	Q-Q	Acres	Priority	Tract
13 S	33 E	WM	18	NE SW	40.0	1872	2
13 S	33 E	WM	18	NW SW	24.6	1872	2
13 S	33 E	WM	18	SW SW	20.9	1872	2
13 S	33 E	WM	18	SE SW	35.4	1872	2
13 S	33 E	WM	18	NW SE	17.2	1879	3
13 S	33 E	WM	18	SW SE	0.6	1879	3
13 S	33 E	WM	18	SE SE	28.0	1879	3
13 S	33 E	WM	19	NE NE	27.1	1885	4
13 S	33 E	WM	19	NE NE	12.9	1864	1
13 S	33 E	WM	19	NW NE	13.7	1864	1
13 S	33 E	WM	19	NW NE	25.9	1885	4
13 S	33 E	WM	19	SW NE	22.8	1885	4
13 S	33 E	WM	19	SE NE	7.8	1885	4
13 S	33 E	WM	19	SE NE	32.2	1864	1

This certificate describes that portion of the water right confirmed by Certificate 52555, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MARCH 26, 1986, approving Transfer Application T-5613.

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 and is subject to all other conditions and limitations contained in said decree.

Issued FEB 13 2009

  
Phillip G. Ward, Director