

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF DAYVILLE
P.O. BOX 321
DAYVILLE, OREGON 97825

confirms the right to use the waters of the SOUTH FORK JOHN DAY RIVER, a tributary to the 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 4.94 CUBIC FEET PER SECOND, 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 are located as follows:

Twp	Rng	Mer	Sec	Q - Q	Survey Coordinates
13 S	26 E	WM	1	NE SE	PUMP POD - 1750 FEET NORTH AND 360 FEET WEST FROM THE SE CORNER OF SECTION 1
13 S	26 E	WM	24	NW NE	CUMMINGS DITCH - 1200 FEET SOUTH AND 140 FEET EAST FROM THE N1/4 CORNER OF SECTION 24

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

MUNICIPAL USES
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 measuring 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.

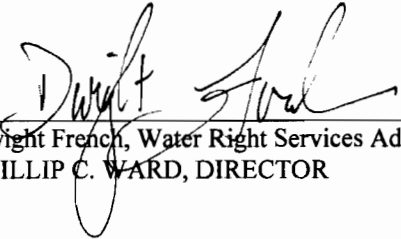
This certificate is issued to correct a scrivener's error in POD location described on Certificate 86040. This Certificate supersedes Certificate 86040, and describes the portion of water right Certificate 84235, NOT modified by the provisions of an order of the Water Resources Director entered April 23, 2010, and recorded at Volume 80, Page 731, approving Transfer Application T-10749.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within 60 days of the date of service.

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.

WITNESS the signature of the Water Resources Director, affixed JUN 01 2011.



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR