

STATE OF OREGON  
COUNTY OF WHEELER  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID & RAHLES GOODELL  
23193 WINLOCK LANE  
FOSSIL OR 97830

ROBERT & SANDY ORDWAY  
41788 KAHLER BASIN RD  
SPRAY OR 97874

ROBERT MCEACHERN  
733 FILBERT ST #6  
SAN FRANCISCO CA 94133

confirms the right to use the waters of IVES CREEK, tributary to JOHN DAY RIVER for IRRIGATION OF 26.9 ACRES, DOMESTIC, AND STOCK.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Wheeler 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 1880. 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 cubic foot per second per acre irrigated to June 1 and ONE-EIGHTIETH cubic foot per second per acre thereafter; further limited to one acre-foot per calendar month to June 1 and four acre-feet per acre during season April 1 to September 30, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
9 S	25 E	WM	6	SE NE	1	JOHN DAY: 1130 FEET SOUTH & 50 FEET WEST FROM NE CORNER, SECTION 6

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
8 S	25 E	WM	32	SE SW		3.4
8 S	25 E	WM	32	NW SE		2.0
8 S	25 E	WM	32	SW SE		20.0
9 S	25 E	WM	6	SE NE	1	1.5

(NOTE: These lands have a supplemental supply from the John Day River with a priority of 1905.)

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 (ONE-EIGHTIETH) cubic foot per second per acre thereafter; further limited to one acre-foot per calendar month to June 1 and four acre-feet per acre during season April 1 to September 30, measured at the point of diversion. One-fortieth cubic foot per second per acre irrigated from April 1 to September 30; further limited to one acre-feet per acre per calendar moth; total of five acre-feet per acre for season, measured at point of diversion.

The original point of diversion, through an unnamed ditch, location described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	25 E	WM	33	SE SW	858 FEET NORTH & 2970 FEET WEST FROM SE CORNER, SECTION 33

When required by the Department, the water user shall install and maintain an in-line flow meter, a weir, or other suitable device for measuring the water to which the water user is entitled. The type and plans of the measuring device 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 confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered April 8, 1988, at Special Order Volume 42, Page 135, approving Transfer Application 5968, and supersedes Certificate 25954, 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 MAR 01 2013

  
 Dwight W. French  
 Water Right Services Administrator, for  
 Phillip C. Ward, Director