

DC

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES DOVENBERG
27950 SW MOUNTAIN RD
WEST LINN OR 97068

LAURENCE AND SUSAN WYLLIE
301 NW CHAROLAIS HTS
John Day, OR 97845

GERALD AND TOLLENE RUSSELL
27287 WIDOWS CREEK RD
MT. VERNON, OR 97865

TOM AND ALENE YATES
27285 WIDOWS CREEK RD
MT. VERNON, OR 97865

confirms the right to use the waters of WIDOWS CREEK, tributary to JOHN DAY RIVER, for IRRIGATION of 187.0 ACRES.

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 1886 for TRACT 1 and FEBRUARY 15, 1889 for TRACT 2.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.68 CUBIC FEET PER SECOND (CFS) to June 1 and 2.34 cfs thereafter, being 0.72 cfs to June 1 and 0.36 cfs thereafter for Tract 1; and 3.96 cfs to June 1 and 1.98 cfs thereafter for Tract 2, if available at the original points of diversion, or its equivalent in case of rotation, measured at the points of diversion. In addition, the rate of diversion of water shall not exceed the specific rates identified below for each point of diversion and shall not exceed the rates identified above in any combination from the individual points of diversion:

Point of Diversion (POD) Number	Rate in CFS
1	0.243 cfs
2	0.5 cfs
3	3.1 cfs
4	2.5 cfs
5	0.72 cfs

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 183.482. 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 points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	28 E	WM	16	NE SE	POD 4 - 1730 FEET NORTH & 780 FEET WEST FROM SE CORNER, SECTION 16
13 S	28 E	WM	17	NE NE	POD 5 - 500 FEET SOUTH & 1140 FEET WEST FROM NW CORNER, SECTION 16
13 S	28 E	WM	21	NE SE	POD 3 - 2540 FEET NORTH & 590 FEET WEST FROM SE CORNER, SECTION 21
13 S	28 E	WM	28	NW NE	POD 2 - 660 FEET SOUTH & 1470 FEET WEST FROM NE CORNER, SECTION 28
13 S	28 E	WM	28	SW NE	POD 1 - 2130 FEET SOUTH & 1950 FEET WEST FROM NE CORNER, SECTION 28

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 per acre irrigated to June 1 and ONE-EIGHTIETH of one 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 the season April 1 to September 30, measured at the point of diversion.

A description of the place of use is as follows:

TRACT 1							
WATER USER	Twp	Rng	Mer	Sec	Q-Q	Acres	POD
WYLLIE	13 S	28 E	WM	21	NE NE	4.1	2
DOVENBURG	13 S	28 E	WM	21	NE NE	3.8	2
DOVENBURG	13 S	28 E	WM	21	SE NE	8.0	2
DOVENBURG	13 S	28 E	WM	21	NE SE	3.0	2
RUSSELL	13 S	28 E	WM	21	NE SE	4.1	1
RUSSELL	13 S	28 E	WM	21	SE SE	1.4	1
YATES	13 S	28 E	WM	21	SE SE	4.2	1

TRACT 2							
WATER USER	Twp	Rng	Mer	Sec	Q-Q	Acres	POD(S)
DOVENBURG	13 S	28 E	WM	16	SW NE	29.6	3 AND/OR 4
DOVENBURG	13 S	28 E	WM	16	SE NE	1.0	3 AND/OR 4
DOVENBURG	13 S	28 E	WM	16	NE NW	3.0	3 AND/OR 4
DOVENBURG	13 S	28 E	WM	16	NW NW	5.7	3 AND/OR 4
DOVENBURG	13 S	28 E	WM	16	NW NW	6.2	4 AND/OR 5
DOVENBURG	13 S	28 E	WM	16	SW NW	3.1	3 AND/OR 4
DOVENBURG	13 S	28 E	WM	16	SE NW	30.6	3 AND/OR 4
DOVENBURG	13 S	28 E	WM	16	NE SW	2.1	3 AND/OR 4
DOVENBURG	13 S	28 E	WM	16	NE SE	13.1	3 AND/OR 4
DOVENBURG	13 S	28 E	WM	16	NW SE	20	3 AND/OR 4
DOVENBURG	13 S	28 E	WM	16	SW SE	1.4	3 AND/OR 4
DOVENBURG	13 S	28 E	WM	16	SE SE	1.4	2
DOVENBURG	13 S	28 E	WM	16	SE SE	13.0	3 AND/OR 4
DOVENBURG	13 S	28 E	WM	17	NE NE	20.8	4 AND/OR 5
DOVENBURG	13 S	28 E	WM	17	NW NE	6.5	4 AND/OR 5
DOVENBURG	13 S	28 E	WM	17	SE NE	0.9	4 AND/OR 5

The quantity of water diverted at the new point(s) of diversion, together with that diverted at the old point(s) of diversion, shall not exceed the quantity of water available from the original point(s) of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Diversion
13 S	28 E	WM	28	NW NE	TRACT 1 - ARTHUR PATTON DITCH
13 S	28 E	WM	21	NE NE	TRACT 2 - JAMES SMALL DITCH

The water user shall maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted.

The water user shall operate and maintain the headgates and measuring devices, as needed. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgates and monitor accuracy of the measuring devices, as needed.

A measuring device shall be maintained in the main channel of Widows Creek below Point of Diversion 3, to enable measurement of the quantity of Widows Creek water that will enter the John Day River.

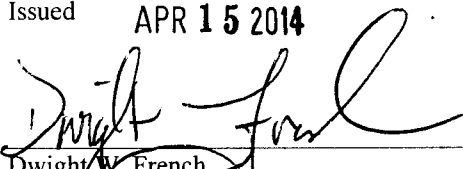
When required by the Department, the water user shall install a measuring device in Widows Creek, near the mouth, if or when it becomes necessary, in the opinion of the Watermaster, to measure the quantity of Widows Creek water actually entering the John Day River. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Water shall be acquired from the same surface water source as the original point(s) of diversion.

The right to the use of the water for the above purpose is restricted to beneficial use on place of use described, and is subject to all other conditions and limitations contained in said decree.

This certificate is issued to confirm changes in POINTS OF DIVERSION approved by an order of the Water Resources Director entered August 20, 1998, at Special Order Volume 52, Page 753, approving Transfer Application 7419, and supercedes Certificate 24935, State Record of Water Right Certificates.

Issued APR 15 2014


Dwight V. French
Administrator, Water Right Services, for
Phillip C. Ward, Director
Oregon Water Resources Department