

DC

STATE OF OREGON  
COUNTY OF GRANT  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EVAN J. AND SHAWN D. SHERMAN  
BERNICE R. NEWMAN  
27999 WIDOWS CREEK RD  
MT. VERNON OR 97865

STANLEY AND LAVAUGHN POWELL  
27887 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 10.7 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 1887.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.268 CUBIC FOOT PER SECOND (CFS) PER ACRE IRRIGATED TO JUNE 1 AND 0.134 CFS 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.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	28 E	WM	21	NE SE	POD 3 - 2540 FEET NORTH & 590 FEET WEST FROM SE CORNER, SECTION 21

A description of the place of use is as follows:

WATER USER	Twp	Rng	Mer	Sec	Q-Q	Acres
SHERMAN	13 S	28 E	WM	15	NW SW	1.50
POWELL	13 S	28 E	WM	15	SW SW	9.20

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	16	SE SE	WIDOWS CREEK DITCH

**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 water user shall maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. In-line flow meters shall be maintained at Point of Diversion 3.

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

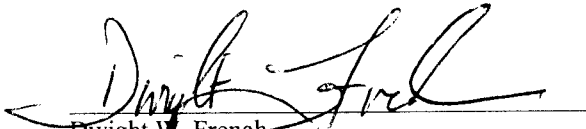
When required by the Department, the water user shall install a measuring device in Widows Creek, near the mouth, if or when it becomes necessary, in the opinion of the Watermaster, to measure the quantity of Widows Creek water actually entering the John Day River. The type and plans of the measuring 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 a change in POINT 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 25037, 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