

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LAVELLE HOLMES
PO BOX 132
ADAMS OR 97810

confirms the right to use the waters of MIDDLE FORK JOHN DAY RIVER, a tributary of the JOHN DAY RIVER, for IRRIGATION.

This right was perfected under Permit 28039. The date of priority is APRIL 23, 1962. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.5 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	33 E	WM	20	SW SE	ADDITIONAL DIV. PT - 970 FEET NORTH AND 1090 FEET EAST FROM S1/4 CORNER, SECTION 20
10 S	33 E	WM	19	NW NE	EXISTING DIV. PT 1 - 840 FEET SOUTH AND 650 FEET EAST FROM N1/4 CORNER, SECTION 19
10 S	33 E	WM	19	SE NE	EXISTING DIV. PT 2 - 1910 FEET SOUTH AND 2180 FEET EAST FROM N1/4 CORNER, SECTION 19

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 5.0 acre-feet for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the John Day River is more than 30 c.f.s at USGS No. 14-0465 and more than 20 c.f.s. at USGS No. 14-0480 and the Middle Fork of the John Day River is more than 10 c.f.s. at USGS Gage No. 14-0440 and the North Fork of the John Day River is more than 55 c.f.s. at USGS Gage No. 14-0460.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	33 E	WM	19	NE NE	38.0
10 S	33 E	WM	19	NW NE	15.0
10 S	33 E	WM	19	SE NE	6.9

The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of lawfully water available from the original points of diversions.

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.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type 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.

When required by the Department, 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 the accuracy of the measuring device, as needed.

Water shall be acquired from the same surface water source as the original points of diversion.

The water user shall maintain a fish screen or fish by-pass device.

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.

This certificate is issued to confirm a change AN ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered April 12, 2003, at Special Order Volume 57, Page 1300, approving Transfer Application 8172, supercedes Certificate 34141, State record of Water Right Certificates.

APR 03 2015

Issued _____.



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department