

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JERALD CLAUSEN  
BARBARA CLAUSEN  
44011 HWY 26  
DAYVILLE OR 97825

RICHARD SMARR  
ELIZABETH SMARR  
43588 HWY 26  
DAYVILLE OR 97825

CHET HETTINGS  
32543 WATERMAN RD  
MITCHELL OR 97750

confirms the right to use the waters of JOHN DAY RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION of 52.8 ACRES AND STOCK.

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 1868.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.32 CUBIC FEET PER SECOND, 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	Measured Distances
12 S	26 E	WM	35	NE SE	ADDITIONAL - 1620 FEET NORTH AND 390 FEET WEST FROM SE CORNER, SECTION 35
12 S	26 E	WM	36	SW SW	ORIGINAL RINGSMEYER DITCH (POD NO. 1) - 4800 FEET SOUTH AND 980 FEET EAST FROM NW CORNER, SECTION 36

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre irrigated from APRIL 1 TO SEPTEMBER 30; FURTHER LIMITED TO 1.0 ACRE-FOOT PER ACRE PER CALENDAR MONTH TO JULY 1 AND 3/4 ACRE-FOOT PER ACRE THEREAFTER; TOTAL FIVE ACRE-FOOT PER ACRE FOR IRRIGATION SEASON, measured at the point of diversion.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
12 S	26 E	WM	35	SE NW	37.3
12 S	26 E	WM	35	NE SW	15.5

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 water lawfully available at the original points of diversion.

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

**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.

Water shall be acquired from the same surface water source as the original point 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 place of use described, and is subject to all other conditions and limitations contained in said decree.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION AND PARTIAL CANCELLATION OF A WATER RIGHT approved by an order of the Water Resources Director entered December 6, 2002, at Special Order Volume 56, Page 2242, approving Transfer Application 8171, supercedes Certificate 25871, State Record of Water Right Certificates.

Issued           **MAY 15 2015**          .

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line.

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