

STATE OF OREGON  
COUNTY OF GRANT  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JIM KELLY AND SUE PORTER  
HCR 82 BOX 115  
KIMBERLY, OR 97848

confirms the right to use the waters of JOHNNY CREEK, TRIBUTARY OF JOHN DAY RIVER, for IRRIGATION of 8.0 ACRES.

This right was perfected under Permit S-37539. The date of priority is DECEMBER 11, 1974. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.2 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances                                         |
|------|------|-----|-----|-------|------------------------------------------------------------|
| 11 S | 26 E | WM  | 8   | SE SE | 1200 FEET NORTH AND 27 FEET WEST FROM SE CORNER, SECTION 8 |

The amount of water used for irrigation under this right, 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 (or its equivalent) for each acre irrigated, and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

| Twp  | Rng  | Mer | Sec | Q-Q   | Acres |
|------|------|-----|-----|-------|-------|
| 11 S | 26 E | WM  | 8   | SW SW | 7.6   |
| 11 S | 26 E | WM  | 17  | NW NW | 0.4   |

**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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

The right is limited to any deficiency in the available supply of any prior right existing for the same land.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

**JUN 05 2015**

Issued \_\_\_\_\_.

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

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