

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRAD A. AND JULIE M. SMITH
41909 CUPPER CREEK RD.
KIMBERLY OR 97848

confirms the right to use the waters of NORTH FORK JOHN DAY RIVER a tributary of JOHN DAY RIVER (COLUMBIA RIVER) for IRRIGATION of 42.6 ACRES.

This right was perfected under Permit S-23605. The date of priority is MAY 5, 1955. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.56 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	27 E	WM	7	SE NE	400 FEET SOUTH AND 930 FEET WEST FROM THE NE CORNER OF THE SENE OF SECTION 7

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be 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 acre-feet per acre for each acre irrigated during the irrigation season of each year; and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	27 E	WM	7	SE NE	10.0
9 S	27 E	WM	8	SW NW	24.0
9 S	27 E	WM	8	SE NW	7.4
9 S	27 E	WM	8	NW SW	1.2
Total					42.6

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or 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.

Prior to October 1, 2021, 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.

Prior to October 1, 2021, the water user shall install and maintain a fish screen or fish by-pass device, as appropriate, at the new point of diversion. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction, and shall be installed under the supervision of the Department of Fish and Wildlife.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered DEC 31 2019, approving Transfer Application T- 13235, and supersedes Certificate 35944, State Record of Water Right Certificates.

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.

WITNESS the signature of the Water Resources Director, affixed DEC 31 2019.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department