

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS DAY
275 SIERRA PLACE
UPLAND CA 97186

confirms the right to the use of waters as limited and conditioned below. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source.

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.

SOURCE OF WATER: JOHN DAY RIVER A TRIBUTARY OF COLUMBIA RIVER

PURPOSE OR USE: IRRIGATION OF 32.9 ACRES

DATE OF PRIORITY: 1885

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	29 E	WM	21	SE SE	POD 2 (ORIGINAL) – 730 FEET NORTH AND 620 FEET WEST FROM SE CORNER, SECTION 21
13 S	29 E	WM	21	SE SW	POD 1 (ADDITIONAL) – 750 FEET NORTH AND 3210 FEET WEST FROM SE CORNER, SECTION 21
13 S	29 E	WM	27	NW NE	POD 1 (ORIGINAL) – 50 FEET SOUTH AND 3380 FEET EAST FROM NW CORNER, SECTION 27

The amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ONE-FORTIETH 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 0.75 acre-foot per acre thereafter; total 5.0 acre-feet per acre for season, measured at point of diversion.

A description of the place of use is as follows:

TRACT 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	29 E	WM	21	NE SW	8.5
13 S	29 E	WM	21	NW SW	4.7
13 S	29 E	WM	21	SW SW	4.8
13 S	29 E	WM	21	SE SW	7.0

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.

TRACT 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	29 E	WM	21	NE SW	6.5
13 S	29 E	WM	21	NW SW	1.4

The quantity of water diverted at the additional points of diversion, together with that diverted at the original points of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion.

Water use measurement conditions:

- A. The water user shall maintain the Weir, Parshall Flume or measuring devices, as approved by the Director, in good working order, at each new point of diversion.
- B. The water user shall allow the Watermaster access to the measuring devices; provided however, where the measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

The water user shall maintain the headgate as required by the Department.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that the Department regulate the use of water until the Department (OWRD) receives notification from ODFW that the fish screen is functioning properly.

The said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for purposes aforesaid is restricted to the lands or place of use herein described.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION AND CHANGE IN PLACE OF USE approved by an order of the Water Resources Director entered October 28, 2013, at Special Order Volume 91, Page 475, approving Transfer Application T-11035, and together with Certificate 88904, supercedes Certificate 39355, State record of Water Right Certificates.

Issued **NOV 19 2021**



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