

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES DOVENBERG
27950 SW MOUNTAIN RD
WEST LINN, OR 97068

LAURENCE AND SUSAN WYLLIE
301 NW CHAROLAIS HEIGHTS
JOHN DAY, OR 97845

GERALD AND TOLLENE RUSSELL
27287 WIDOWS CREEK RD
MOUNT VERNON, OR 97865

TOM AND ALENE YATES
27285 WIDOWS CREEK RD
MOUNT VERNON, OR 97865

confirm the right to use the waters of WIDOWS CREEK, tributary to JOHN DAY RIVER, for IRRIGATION of 182.9 ACRES.

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 1886 for TRACT 1 and FEBRUARY 15, 1889, for TRACT 2.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.58 CUBIC FEET PER SECOND (CFS) to June 1, and 2.29 CFS thereafter, being 0.62 CFS to June 1 and 0.31 CFS thereafter for Tract 1; and 3.96 CFS to June 1 and 1.98 CFS thereafter for Tract 2, if available at the original points of diversion, or its equivalent in case of rotation, measured at the points of diversion. In addition, the rate of the diversion of water shall not exceed the specific rate identified below for each point of diversion and shall not exceed the rates identified above in any combination from the individual points of diversion.

Point of Diversion (POD) Number	Rate in CFS
1	0.243 cfs
2	0.4 cfs
3	3.1 cfs

Point of Diversion (POD) Number	Rate in CFS
4	2.5 cfs
5	0.72 cfs

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	28 E	WM	16	NE SE	POD 4 - 1730 FEET NORTH AND 780 FEET WEST FROM THE SE CORNER OF SECTION 16
13 S	28 E	WM	17	NE NE	POD 5 - 500 FEET SOUTH AND 1140 FEET WEST FROM THE NW CORNER OF SECTION 16
13 S	28 E	WM	21	NE SE	POD 3 - 2540 FEET NORTH AND 590 FEET WEST FROM THE SE CORNER OF SECTION 21
13 S	28 E	WM	28	NW NE	POD 2 - 660 FEET SOUTH AND 1470 FEET WEST FROM THE NE CORNER OF SECTION 28
13 S	28 E	WM	28	SW NE	POD 1 - 2130 FEET SOUTH AND 1950 FEET WEST FROM THE NE CORNER OF SECTION 28

The amount of water used for irrigation, 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 per acre irrigated to June 1 and ONE-EIGHTIETH of one cubic foot per second per acre thereafter; further limited to one acre-foot per calendar month to June 1 and four acre-feet per acre during the season April 1 through September 30, measured at the point of diversion.

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

IRRIGATION							
TRACT 1							
Water User	Twp	Rng	Mer	Sec	Q-Q	Acres	POD
DOVENBERG	13 S	28 E	WM	21	NE NE	3.8	2
DOVENBERG	13 S	28 E	WM	21	SE NE	8.0	2
DOVENBERG	13 S	28 E	WM	21	NE SE	3.0	2
RUSSELL	13 S	28 E	WM	21	NE SE	4.1	1
RUSSELL	13 S	28 E	WM	21	SE SE	1.4	1
YATES	13 S	28 E	WM	21	SE SE	4.2	1
TOTAL						24.5	

IRRIGATION							
TRACT 2							
Water User	Twp	Rng	Mer	Sec	Q-Q	Acres	POD
DOVENBERG	13 S	28 E	WM	16	SW NE	29.6	3 AND/OR 4
DOVENBERG	13 S	28 E	WM	16	SE NE	1.0	3 AND/OR 4
DOVENBERG	13 S	28 E	WM	16	NE NW	3.0	3 AND/OR 4
DOVENBERG	13 S	28 E	WM	16	NW NW	5.7	3 AND/OR 4
DOVENBERG	13 S	28 E	WM	16	NW NW	6.2	4 AND/OR 5
DOVENBERG	13 S	28 E	WM	16	SW NW	3.1	3 AND/OR 4
DOVENBERG	13 S	28 E	WM	16	SE NW	30.6	3 AND/OR 4
DOVENBERG	13 S	28 E	WM	16	NE SW	2.1	3 AND/OR 4

IRRIGATION							
TRACT 2							
Water User	Twp	Rng	Mer	Sec	Q-Q	Acres	POD
DOVENBERG	13 S	28 E	WM	16	NE SE	13.1	3 AND/OR 4
DOVENBERG	13 S	28 E	WM	16	NW SE	20.0	3 AND/OR 4
DOVENBERG	13 S	28 E	WM	16	SW SE	1.4	3 AND/OR 4
DOVENBERG	13 S	28 E	WM	16	SE SE	1.4	2
DOVENBERG	13 S	28 E	WM	16	SE SE	13.0	3 AND/OR 4
DOVENBERG	13 S	28 E	WM	17	NE NE	20.8	4 AND/OR 5
DOVENBERG	13 S	28 E	WM	17	NW NE	6.5	4 AND/OR 5
DOVENBERG	13 S	28 E	WM	17	SE NE	0.9	4 AND/OR 5
TOTAL						158.4	

The quantity of water diverted at the new points of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water available from the original points of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Diversion
13 S	28 E	WM	28	NW NE	TRACT 1 – ARTHUR PATTON DITCH
13 S	28 E	WM	21	NE NE	TRACT 2 – JAMES SMALL DITCH

The water user shall maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted.

The water user shall operate and maintain the headgates and measuring devices as needed. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgates and monitor accuracy of the measuring devices, as needed.

A measuring device shall be maintained in the main channel of Widows Creek below Point of Diversion 3, to enable measurement of the quantity of Widows Creek water that will enter the John Day River.

When required by the Department, the water user shall install a measuring device in Widows Creek, near the mouth, if or when it becomes necessary, in the opinion of the Watermaster, to measure the quantity of Widows Creek water actually entering the John Day River. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

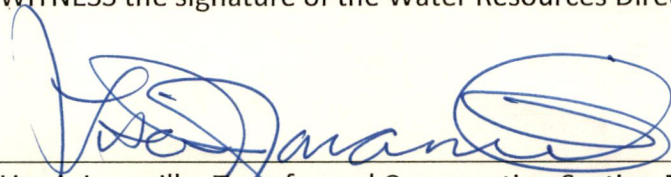
Water shall be acquired from the same surface water source as the original point(s) of diversion.

This certificate describes that portion of water right Certificate 89190, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 03 2024, approving Transfer Application T-14342.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed JUL 03 2024.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

JUL 03 2024