

2747

STATUS OF APPLICATION

Change in Place of Use
 Date filed Dec 28, 1972
 Date of hearing _____
 Place of hearing _____
 Date of order 12-4-79 Vol. 32, page 32
 Date for application of water 10-1-81
 Proof mailed _____
 Proof received _____
 Certificate issued FEB 25 1980 Vol. 42, page 149067

LOSS OF RIGHT
 1/22/92
 46 pg 25

to per 11/81

DESCRIPTION OF WATER RIGHT

Name of stream N. Fork - Malheur River
 Trib. of _____ County of Malheur
 Use Irrigation
 Quantity of water _____ No. of acres 120
 Name of ditch New Woodruff ditch
 Date of priority 1885
 In name of D.E. Jones
Malheur River Adjudication, Vol. 8, page 278 & 9
 App. No. _____ Per. No. _____ Cert. No. 27613
 Certificate cancelled _____
 Notation made on record by _____
7-12-90 BE

FEES PAID

Date	Amount	Receipt No.
<u>12-28-72</u>	<u>20.00</u>	<u>31891</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
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Exam 15-
 Δ POU 5-
 20-

SUPERSEDED BY
 40394 ✓

REMARKS

See T-4679 transfer of 10³ ac of RR (C-19067)

Card for C NOV 20 1981

7/01/03 Mike Bentz - V Boy land & livestock inc.

PO Box 156

Juntura OR 97911

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
	✓			
Name	✓		<u>leg</u>	
Stream	✓		<u>leg</u>	
Pt. of Div.	✓		<u>leg</u>	
Calendar	✓		<u>leg</u>	
CHECKED TO RECORD:				
Twp. & Rgs.	✓		<u>SRB</u>	
Decree-vault	✓		<u>SRB</u>	
Decree-map	✓		<u>SRB</u>	
Cert. of W/R	✓		<u>SRB</u>	
Per. folder				<u>SRB</u>
Chaindex				
Cross Ref.				
Power Claim	✓		<u>leg</u>	
Abstracts				

STATE OF OREGON
COUNTY OF MALHEUR AND HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That D. E. JONES

of Juntura, State of Oregon 97911, has
a right to the use of the waters of Middle Fork Malheur River for Tract 1; North Fork
Malheur River for Tract 2; Malheur River for Tract 3; and Pole Creek for Tract 4
a tributary of Snake River for the purpose of
irrigation of 912.53 acres and supplemental irrigation of 28.5 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Malheur County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 8, at page 228; that the priority of the
right thereby confirmed dates from September 1883 for Tract 1; 1885 for Tract 2;
September 1888 for Tract 3; and 1901 for Tract 4
that 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 1.5 acre feet per
acre in any 30 day period prior to June 1st, 1.0 acre foot per acre in any 30
day period after June 1st of each year, or 3.0 acre feet per acre during any
season, diverted at a rate not to exceed one-twentieth of a cubic foot per
second per acre

The point of diversion is located in the Tract 1 - NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, T. 19
S., R. 34 E., W.M.; Tract 2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, T. 20 S., R. 37 E., W.M.,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, T. 21 S., R. 38 E., W.M.; Tract 3 -
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, T. 20 S., R. 39 E., W.M., *
A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

*NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, T. 20 S., R. 40 E., W.M.; Tract 4 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29,
T. 20 S., R. 39 E., W.M.

Tract No. 1

24.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
23.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
30.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 30

6.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
31.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 31

T. 19 S., R. 34 E., W.M.
being a total of 274.00 acres

SEE NEXT PAGE

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SALEM, OREGON

Tract No. 2

37.50 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 7

6.00 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
17.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
30.50 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
1.50 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 16

3.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 21

T. 21 S., R. 38 E., W.M.
being a total of 305.50 acres

Tract No. 4

22.50 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28

4.10 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
6.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
5.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 33

4.78 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 32

T. 20 S., R. 39 E., W.M.
being a total of 42.38 acres

Tract No. 3

10.30 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 25

37.10 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
8.00 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.35 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
5.30 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
38.20 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
25.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
4.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
20.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
29.90 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
31.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
20.50 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27

1.50 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
17.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
9.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
0.50 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28

T. 20 S., R. 39 E., W.M.

12.30 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
11.50 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
2.20 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 31

T. 20 S., R. 40 E., W.M.
being a total of 290.65 acres

Supplemental

22.50 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28

3.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
3.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 33

T. 20 S., R. 39 E., W.M.
being a total of 28.50 acres

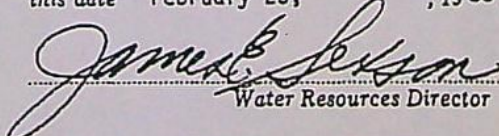
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 40394, Volume 32, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on December 4, 1979, approving transfer application No. 2747.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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

WITNESS the signature of the Water Resources Director, affixed

this date February 25, 1980.


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 42, page 49067

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WATER RESOURCES DEPT.
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

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MALHEUR COUNTY

JAN 31 2000

**WATER RESOURCES DEPT.
SALEM, OREGON**

IN THE MATTER OF THE APPLICATION)
OF D. E. JONES AND SON, INC. FOR)
APPROVAL OF CHANGES IN PLACE OF)
USE AND POINT OF DIVERSION OF)
WATER)

ORDER APPROVING
TRANSFER 4679

On January 19, 1981, an application was filed in the office of the Water Resources Director by D. E. Jones and Son, Inc. for approval of changes in place of use and point of diversion of water from Malheur River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 49067, Volume 42, State Record of Water Right Certificates, in the name of D. E. Jones, describes a right which includes the use of water from Malheur River for irrigation of a certain 10.3 acres in SW 1/4 SW 1/4 of Section 25, Township 20 South, Range 39 East, WM, with a date of priority of September, 1888.

Water for the said right is diverted from a point located within the SE 1/4 SW 1/4 of Section 25, Township 20 South, Range 39 East, WM.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 10.3 acres in NE 1/4 NW 1/4 of Section 33, Township 20 South, Range 39 East, WM, from a point located 1,150 feet North and 1,050 feet East from the West Quarter Corner of Section 33, being within the SW 1/4 NW 1/4 of Section 33, Township 20 South, Range 39 East, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the Daily Argus-Observer, a newspaper printed and having general circulation in Malheur County, Oregon, for a period of three weeks in the issues of February 3, 10 and 17, 1981.

Frank W. Elfering, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of diversion, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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**WATER RESOURCES DE
SALEM, OREGON**

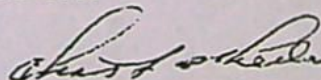
It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1982.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1982.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order the certificate of water right heretofore issued to D. E. Jones and recorded at page 49067, Volume 42, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued to the applicant herein.

Dated at Salem, Oregon this 26th day of March, 1981.

JAMES E. SEXSON
Director



By CHRIS WHEELER
Deputy Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF TRANSFER)	LOSS OF WATER RIGHT
APPLICATION 2747 IN THE NAME)	<u>O R D E R</u>
OF GARY WILLIAMS)	

Transfer application 2747, in the name of Gary Williams, proposed a change in the place of use of water from North Fork Malheur River for the irrigation of 12.0 acres under a priority date of 1885. The proposed place of use is as follows:

SW 1/4 NE 1/4 9.0 ACRES

NW 1/4 SE 1/4 3.0 ACRES

SECTION 16

TOWNSHIP 21 SOUTH, RANGE 38 EAST, W.M.

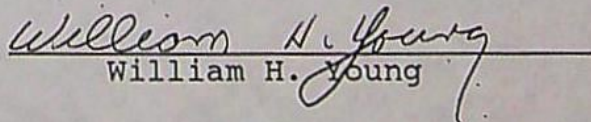
The order of the Water Resources Director dated December 4, 1979, recorded in Volume 32 at Page 32, Special Order Records, approving transfer application 2747, set October 1, 1981, as the date by which the proposed change was to be completed. The order also cancelled certificate of water right numbered 27613 and provided that a new certificate would be issued upon receipt of proper proof of the completed change.

An inspection was made by a representative of the Water Resources Department on October 12, 1988. The inspector reported that no use of the water had been made under the terms of the order and no use had been made up to the date of the inspection.

A notice of LOSS OF WATER RIGHT was sent by certified mail to Gary Williams dated May 11, 1990. The notice was received by Gary Williams.

The applicant has failed to make proof to the satisfaction of the Water Resources Director that the proposed change in place of use was accomplished within the provisions of the order, therefore, the subject water right has been lost.

WITNESS the signature of the Water Resources Director, affixed January 22, 1992.


William H. Young

Recorded in Special Order Volume 46, Page 25

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION)
OF GARY WILLIAMS FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 2747

On December 28, 1972, an application was filed in the office of the Water Resources Director by Drex Williams (succeeded by Gary Williams) for approval of a change in place of use of water from North Fork Malheur River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 40394, Volume 32, State Record of Water Right Certificates, in the name of D. E. Jones, describes a right for the irrigation of, among other lands, a certain 3.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21; 4.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 2.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 2.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 21 South, Range 38 East, W.M., with a date of priority of 1885.

Water for the said right is diverted from a point located 400 feet South and 1450 feet West from the Northeast Corner of Section 18, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, Township 21 South, Range 38 East, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 9.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 3.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 21 South, Range 38 East, W.M.

Mr. Frank Elfering, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

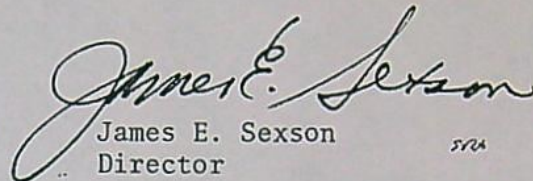
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 40394, Volume 32, State Record of Water Right Certificates, is canceled; and in lieu thereof a new

certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 4th day of December, 1979.


James E. Sexson
Director

5724

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That D. E. JONES

97911
 of Juntura, State of Oregon, has a right
 to the use of the waters of Middle Fork Malheur River for Tract #1; North Forth Malheur
 River for Tract #2; Malheur River for Tract #3; and Pole Creek for Tract #4
 a tributary of Snake River for the purpose of
 irrigation of 924.57 acres and supplemental irrigation of 28.5 acres
 and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Malheur County, and the said decree entered of record at Salem, in the Order Record of
 the STATE ENGINEER, in Volume 8, at page 228; that the priority of the right thereby
 confirmed dates from September 1883 for Tract #1; 1885 for Tract #2; September
 1888 for Tract #3; and 1901 for Tract #4

that 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 1.5 acre feet per acre
 in any 30-day period prior to June 1st, 1.0 acre foot per acre in any 30 day period
 after June 1st of each year, or 3.0 acre feet per acre during any season, diverted
 at a rate not to exceed one-twentieth of a cubic foot per second per acre.

The point of diversion is located in the Tract 1 - NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, T. 19 S.,
 R. 34 E., W. M., Tract 2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, T. 20 S., R. 37 E., W. M., SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 Section 7, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, T. 21 S., R. 38 E., W. M., Tract 3 - SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section
 25, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, T. 20 S., R. 39 E., W. M., NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, *

A description of the place of use under the right, and to which such right is appurtenant, is as
 follows:

Tract No. 1

24.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
 23.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
 30.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 30

6.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
 40.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
 40.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
 31.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
 40.00 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
 40.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 31

T. 19 S., R. 34 E., W. M.
 being a total of 274 acres.

* T. 20 S., R. 40 E., W. M., Tract 4 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, T. 20 S., R. 39 E.,
 W. M.

T#2747

Tract No. 2

37.50 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 7

6.00 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
17.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
35.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 45
12.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 20
4.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 25

Section 16

6.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 30

Section 21

T. 21 S., R. 38 E., W. M.
being a total of 317.5 acres.

Tract No. 4

22.50 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28

4.10 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
6.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
5.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 33

4.78 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 32

T. 20 S., R. 39 E., W. M.
being a total of 42.38 acres.

Tract No. 3

10.30 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 25

37.10 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
8.00 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.35 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
5.30 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
38.20 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
25.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
4.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
20.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
29.90 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
31.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
20.50 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27

1.50 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
17.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
9.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
0.50 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$

22.50 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ (Suppl.)

Section 28

3.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ (Suppl.)
3.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Suppl.)

Section 33

T. 20 S., R. 39 E., W. M.

12.30 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
11.50 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
2.20 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 31

T. 20 S., R. 40 E., W. M.
being a total of 319.15 acres

An order of the State Engineer entered November 18, 1963 approved a change in place of use and point of diversion for the irrigation of 36.3 acres. Subsequently, the right appurtenant to 11.97 acres was canceled by order of the State Engineer entered July 20, 1964. This certificate is issued to confirm the changes and to confirm the remaining right and supersedes the certificate heretofore issued to D. E. Jones and recorded at page 27613, State Record of Water Right Certificates.

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

WITNESS the signature of the State Engineer, affixed

this date May 24, 1974.

.....Chris L. Wheeler.....
State Engineer

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That D. E. JONES

of Juntura, State of Oregon, has a right to the use of

the waters of Middle Fork Malheur for Tract #1; North Fork Malheur Tract #2;
Malheur River for Tract #3 and Pole Creek for Tract #4;
for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Malheur County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 8, at page 228; that the priority of the right thereby confirmed dates from Sept. 1883 for Tract #1; 1885 for Tract #2; Sept. 1888 for Tract #3 and 1901 for Tract #4;

that 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 $1\frac{1}{2}$ acre feet per acre in any 30-day period prior to June 1st, 1 acre foot per acre in any 30-day period after June 1st, of each year, or 3 acre feet per acre during any season, diverted at a rate not to exceed one-twentieth of a cubic foot per second per acre;

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Tract #1:

24 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
23 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
30 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 30
6 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
31 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 31

T. 19 S., R. 34 E., W.M.
being a total of 274 acres.

Tract #3:

40.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 0 $\frac{3}{4}$ Ac. Tract Sp. O. Vol. 13 p. 126
22.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 13 $\frac{1}{2}$ " " " " " "
18.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 18 $\frac{1}{2}$ " " " " " "
7.5 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
7.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
39.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
25.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
4.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
20.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
38.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 4 $\frac{3}{4}$ Tract Sp. O. Vol. 13 p. 126
31.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
20.5 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27
1.5 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
17.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
9.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
0.5 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
22.5 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ supplemental
Section 28
3.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ supplemental
3.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ supplemental
Section 33

T. 20 S., R. 39 E., W.M.
being a total of 328.5 acres.

Tract #2:

37.5 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 7
6.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ + 19 $\frac{1}{2}$
17.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
35.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ + 30
12.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
4.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 16
6.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 21

T. 21 S., R. 38 E., W.M.
being a total of 317.5 acres.

Tract #4:

22.5 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28
5.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 0.9 $\frac{1}{2}$
6.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
5.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 33
6.5 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 1.12 $\frac{1}{2}$
Section 32
T. 20 S., R. 39 E., W.M.
being a total of 45 acres.

① canceled

This certificate is issued to confirm a change in place of use and point of diversion of water approved by an order of the State Engineer entered June 6, 1956 pursuant to the provisions of ORS 540.510 to 540.530, and supersedes certificate of water right heretofore issued to Jones Land and Livestock Company and recorded at page 6947, Volume 7, State Record of Water Right Certificates.

TOWNSHIP <u>21S</u> RANGE <u>38E</u> W. M.																SECTION <u>16</u>		
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
		6 ⁵		17	40	40		40	40		35	12	4			Superceded by 27613R	Malheur River	6947
								40								Malheur River	6951	
7	10	20	6									3				12735	9062	CANCELLED
											45			20	25	2747	OUT	
		90												30		2747	1N	

, 1960 .

State Engineer