

2605 A.A. West & Sons
Clatsop
Oregon 97212

2605

STATUS OF APPLICATION

Change in Point of Diversion
Date filed February 24, 1972
Date of hearing May 17, 1973
Place of hearing Condon Ore
Amended January 3, 1977 V. 28 P 236
Date of order August 24, 1973 Vol. 23, page 311
Date for application of water 1970
Proof mailed Comp rec'd 10-29-73

Proof received FEB 23 1974
Certificate issued AUG 24 1978 Vol. 31, page 39828
NOV 17 1978 39 46258
NOV 17 1978 39 46866
NOV 17 1978 39 46867
NOV 17 1978 39 46868
C# 25839 RR in C# 46258
C# 25485 RR in C# 46258
C# 25989 No RR
to survey

DESCRIPTION OF WATER RIGHT

Name of stream Rock Creek 06 2160 0250
Trib. of John Day River County of Gilliam
Use Irrigation & Stock
Quantity of water _____ No. of acres 965
Name of ditch West, Stephens & Marrick
Date of priority 1868, 1884, & 1894
B. Marrick
In name of J.E. Stephens & W.P. West
John Day River Adjudication, Vol. 10, page 549
605 8628
App. No. _____ Per. No. _____ Cert. No. 25485 25989
Certificate cancelled _____
Notation made on record by _____

REMARKS

25485 - RR 46258
CC 46866
25839 - RR 39828
CC 46867
25989 - CC 46868

FEES PAID

Date	Amount	Receipt No.
<u>2-24-72</u>	<u>25.00</u>	<u>27354</u>
<u>2-24-72</u>	<u>P.O.N. 30.00</u>	<u>27355</u>
<u>5-1-73</u>	<u>P.O.N. 11.25</u>	<u>33577</u>
TOTAL	<u>7.50</u>	
<u>5-1-73</u>	<u>\$ Cert. Fee</u>	<u>33578</u>

FEES REFUNDED

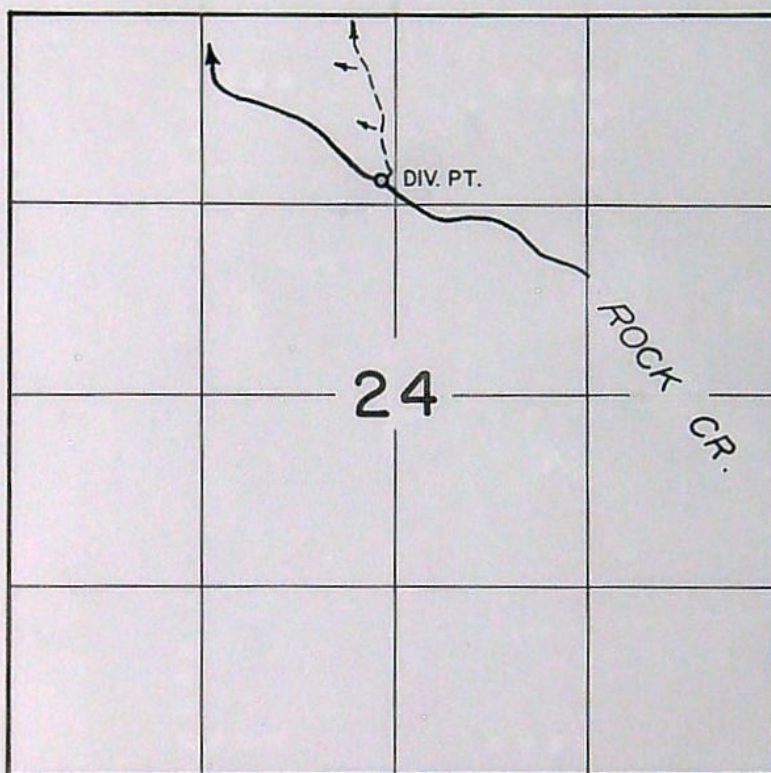
Date	Amount	Check No.
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TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>ST</u>	<u>24</u>
<input checked="" type="checkbox"/> Stream	<u>ST</u>	<u>24</u>
<input checked="" type="checkbox"/> Pt. of Div.		
<input checked="" type="checkbox"/> Calendar	<u>ST</u>	
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>WAC</u>	<u>24</u>
<input checked="" type="checkbox"/> Decree-vault	<u>WAC</u>	<u>24</u>
<input checked="" type="checkbox"/> Decree-safe	<u>WAC</u>	<u>24</u>
<input checked="" type="checkbox"/> Cert. of W/R	<u>WAC</u>	<u>24</u>
<input type="checkbox"/> Per. Folder		
<input type="checkbox"/> Chainindex		
<input type="checkbox"/> Cross Ref.		
<input type="checkbox"/> Power Claim		
<input checked="" type="checkbox"/> Abstracts		

W.R.I.S.

Amended 8-17-84

T.1N.,R.20E.,W.M.



DIV. PT. LOC.: 170' N. & 90' W. FROM SW COR. OF NW1/4NE1/4

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2605

Application No. _____ Permit No. _____
IN NAME OF

A. A. WEST & SONS

Surveyed JULY 22, 1976, by R. G. MUCKEN

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

A. A. WEST AND SONS

of Arlington
a right to the use of the waters of Rock Creek

, State of Oregon, 97812, has

a tributary of John Day River
the irrigation of 69.6 acres, domestic and stock

for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Grant County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at page 461; that the priority of the right thereby confirmed dates from 1894

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 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 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 season April 1 to September 30, measured at point of diversion

The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, T. 1 N., R. 20 E., W. M., 170 feet North and 90 feet West from the SW Corner, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24

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

11.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 13

4.6 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

5.2 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

5.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

1.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

23.6 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

1.0 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$

17.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 14

T. 1 N., R. 20 E., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered January 3, 1977 and supersedes certificate of water right recorded on Page 25989, Volume 17, State Record of Water Right Certificates.

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.

Assembled _____ WITNESS the signature of the Water Resources Director, affixed by _____

Entered _____ by _____ this date November 17, 1978.

Verified _____ by _____
James E. Skermon
Water Resources Director

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. E. STEPHENS

of **Rock Creek**, State of **Oregon** has a right
to the use of the waters of
Rock Creek
a tributary of **John Day River** for the purpose of
irrigation of **49.2 acres**
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Grant **County**, and the said decree entered of record at Salem, in the Order Record of
the **STATE ENGINEER**, in Volume **15**, at page **461**; that the priority of the right thereby
confirmed dates from **1883 - Tract No. 1**
1884 - Tract No. 2

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 one-fortieth cubic foot per second per acre irrigated to June 1, and one-eightieth 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 season April 1 to September 30, measured at point of diversion.

The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, T. 1 N., R. 20 E., W. M.

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

<u>Tract No. 1</u>	<u>Tract No. 2</u>
19.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.8 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
4.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 24
Section 24	T. 1 N., R. 20 E., W. M.
T. 1 N., R. 20 E., W. M.	
1.6 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$	
21.2 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$	
Section 19	
T. 1 N., R. 21 E., W. M.	

An order of the State Engineer entered August 21, 1973, approves a change in point of diversion for the irrigation of 9.6 acres. This certificate is issued to confirm the remaining right and supersedes the certificate heretofore issued to J. E. Stephens and recorded at page 25839, State Record of Water Right Certificates.

W.R.I.S.

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 by _____

Assembled _____

Entered _____ by _____

Verified _____ by _____

WITNESS the signature of the State Engineer, affixed

is date **February 26**, 1974.

Chris L. Wheeler
State Engineer

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

B. MARICK

of Rock Creek, State of Oregon, 97861, has
a right to the use of the waters of Rock Creek and Springs

a tributary of John Day River for the purpose of
irrigation of 45.6 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Grant County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at page 461; that the priority of the right thereby confirmed dates from 1868

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 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 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 season April 1 to September 30, measured at point of diversion.

The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, T. 1 N., R. 20 E., W. M.

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

0.3 acre NW $\frac{1}{4}$ NE $\frac{1}{4}$
25.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
4.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
15.6 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 24
T. 1 N., R. 20 E., W. M.


This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 25485, Volume 17, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on August 21, 1973, approving transfer application No. 2605, as said order was amended by an amending order entered January 3, 1977.

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 August 24, 1978


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 38, page 46253

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

This Is to Certify, That A. A. WEST AND SONS

of Arlington, State of Oregon, 97812, has
a right to the use of the waters of Rock Creek

a tributary of John Day River for the purpose of
the irrigation of 9.6 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Grant County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at page 461; that the priority of the right thereby confirmed dates from 1884

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 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 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 season April 1 to September 30, measured at point of diversion

The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, T. 1 N., R. 20 E., W. M., 170 feet North and 90 feet West from the SW Corner, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24

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

9.6 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 13
T. 1 N., R. 20 E., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered January 3, 1977 and together with certificate of water right recorded on Page 3982 $\frac{1}{2}$, Volume 31, State Record of Water Right Certificates supersedes certificate of water right recorded on Page 25839, Volume 17, State Record of Water Right Certificates.

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

W.R.I.S.

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

Assembled use herein described

Entered _____ by _____

Verified _____ by _____

WITNESS the signature of the Water Resources Director, affixed

this date November 17, 1978.

James E. Saxon
Water Resources Director

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

A. A. WEST AND SONS

of Arlington
a right to the use of the waters of Rock Creek

State of Oregon, 97812, has

a tributary of John Day River
the irrigation of 12.6 acres

for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Grant County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at page 461; that the priority of the right thereby confirmed dates from 1868

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 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 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 season April 1 to September 30, measured at point of diversion

The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, T. 1 N., R. 20 E., W. M., 170 feet North and 90 feet West from the SW Corner, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24

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

12.6 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 24
T. 1 N., R. 20 E., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered January 3, 1977 and together with certificate of water right recorded on Page 46258, Volume 33, State Record of Water Right Certificates supersedes certificate of water right recorded on Page 25485, Volume 17, State Record of Water Right Certificates.

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

W.R.I.S.

Assembled _____ by _____

Entered _____ by _____

Verified _____

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 November 17, 1978.

James E. Skerson
Water Resources Director

STATE OF OREGON

COUNTY OF GILLIAM

Superseded by

Cert. No.

46258

Spec. Or. V. 23, 311

(Tr. 2605)

Sp. Or. V. 28, 236

(Order Amending)

CERTIFICATE OF WATER RIGHT

This Is to Certify, That A.A. West and Sons~~B. MARICK~~

of ~~Rock Creek~~ Arlington, State of Oregon 97812, has a right to the use of
the waters of ~~Rock Creek and Springs~~ trib John Day River
for the purpose of the Irrigation of 12.6 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Grant County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 15, at page 461; that the priority of the right thereby
confirmed dates from 1868

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 1/40 cubic foot per
second per acre irrigated to June 1 and 1/80 cubic foot per second per acre there-
after; further limited to one acre-foot per calendar month to June 1 and four acre-
feet per acre during season April 1 to Sept. 30, measured at point of diversion.

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:

~~0.3 acre in NW 1/4 NE 1/4~~
~~25.0 acres in SW 1/4 NE 1/4~~
12.6 ~~17.3~~ acres ~~to~~ NE 1/4 NW 1/4
~~15.6 acres in SE 1/4 NW 1/4~~
Section 24,
T. 1 N., R. 20 E., W. M.

Ch. Pl. & Div. 7-2605
Sp. Or. V. 23 P. 311
4128 P. 236

This certificate is issued to confirm a change in point of diversion approved
by an order of the WRD entered Jan 3, 77 and together with certificate of water right
recorded on Page 46258, Volume 38, SRWRC supersedes certificate of
water right recorded on Page 25485, Volume 17, SRWRC.

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

WITNESS the signature of the State Engineer, affixed

this 1st day of May, 19 59

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 25485

P.O.D.: NE 1/4 NW 1/4 Sec 24 T1N R20E W1M
170' N of 90' W from the SW cor NW 1/4 NE 1/4 Sec 24

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

This Is to Certify, That A.A. West and Sons
W. P. WEST

of Arlington, State of Oregon 97812, has a right to the use of
the waters of Rock Creek trib. John Day River
for the purpose of the Irrigation, Domestic and Stock 69.6 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Grant County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 15, at page 461; that the priority of the right thereby
confirmed dates from 1894

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 1/40 cubic foot per
second per acre irrigated to June 1 and 1/80 cubic foot per second per acre there-
after; further limited to one acre-foot per calendar month to June 1 and four acre-
feet per acre during season April 1 to Sept. 30, measured at point of diversion.

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:

- 11.0 acres in SW¹/₄SW¹/₄ Section 13,
→ 4.6 acres in SW¹/₄NE¹/₄ Section 13,
→ 5.2 acres in SE¹/₄NW¹/₄ Section 13,
→ 5.6 acres in NE¹/₄SW¹/₄ Section 13,
→ 1.6 acres in NE¹/₄SE¹/₄ Section 13,
→ 23.6 acres in NW¹/₄SE¹/₄ Section 13,
→ 1.0 acre in SW¹/₄SE¹/₄ Section 13,
→ 17.0 acres in SE¹/₄SE¹/₄ Section 14,
T. 1 N., R. 20 E., W. M.

West, Stephenson,
Mandale ditch

This certificate is issued to confirm a change in point of diversion approved
by an order of the WRD entered Jan 3 '77 and supersedes certificate of water right
recorded on Page 25989, Volume 17, SRWRC.

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

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 1st day of May, 1959

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 25989

STATE OF OREGON

COUNTY OF GILLIAM

Superseded by
 Cert. No. 39828
 Spec. Or. 2331
 amended
 Y. 28 P 236

CERTIFICATE OF WATER RIGHT

This Is to Certify, That A.A. West and Sons

of Rock Creek Arlington, State of Oregon 97812, has a right to the use of
 the waters of Rock Creek trib John Day River
 for the purpose of the Irrigation of 9.6 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Grant County, and the said decree entered of record at Salem, in the Order Record of
 the STATE ENGINEER, in Volume 15, at page 461; that the priority of the right thereby
 confirmed dates from 1883 - Tract #1
1884 - Tract #2

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 1/40 cubic foot per
 second per acre irrigated to June 1 and 1/80 cubic foot per second per acre there-
 after; further limited to one acre-foot per calendar month to June 1 and four acre-
 feet per acre during season April 1 to Sept. 30, measured at point of diversion.

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~~

~~19.0 acres in SE 1/4 NE 1/4
 4.6 acres in NE 1/4 SE 1/4
 Section 24,
 T. 1 N., R. 20 E., W. M.
 1.6 acre in SW 1/4 NW 1/4
 21.2 acres in NW 1/4 SW 1/4
 Section 19,
 T. 1 N., R. 21 E., W. M.~~

~~Tract #2~~

~~9.6 acres in SE 1/4 SW 1/4
 Section 13,
 2.8 acres in SE 1/4 NE 1/4
 Section 24,
 T. 1 N., R. 20 E., W. M.~~

* Ch. 21.6 of Div.
 Spec. Or. Vol. 2331

This certificate is issued to confirm a change in point of diversion approved
 by an order of the WRD entered Jan 3 '77 and together with certificate of water
 right recorded on Page 39828, Volume 31, SRWRC supersedes certificate
 of water right recorded on Page 25839, Volume 17, SRWRC.

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

this 1st day of May, 1959.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 35839

P.O.D.: NE 1/4 NW 1/4 Sec 24 T1N R20E WM
 170' N of 90' W from the SW cor NW 1/4 NE 1/4 Sec 24

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. E. STEPHENS

of Rock Creek, State of Oregon, has a right to the use of

the waters of Rock Creek

for the purpose of Irrigation of 49.2 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Grant

County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 15, at page 461; that the priority of the right thereby confirmed dates from 1883 - Tract #1

1884 - Tract #2

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 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 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 season April 1 to Sept. 30, measured at point of diversion.

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

Tract #2

19.0 acres in SE 1/4 NE 1/4

4.6 acres in NE 1/4 SE 1/4

Section 24,

T. 1 N., R. 20 E., W. M.

1.6 acre in SW 1/4 NW 1/4

21.2 acres in NW 1/4 SW 1/4

Section 19,

T. 1 N., R. 21 E., W. M.

~~9.6 acres in SE 1/4 SW 1/4~~~~Section 13,~~

2.8 acres in SE 1/4 NE 1/4

Section 24,

T. 1 N., R. 20 E., W. M.

DIV. OF LOC. - NE 1/4 SE 1/4 Sec 24 T1N R20E WM.

An order of the State Engineer entered Aug 21 1973, approves a change in Div. of Div. for the irrigation of 9.6 acres. This certificate is issued to confirm the remaining right and supersedes the certificate heretofore issued to J. E. Stephens and recorded at page 25839, State Record of Water Right Certificates.

WITNESS the signature of the State Engineer, affixed

and this 1st day of May, 1959.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 25839

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Gilliam County

IN THE MATTER OF THE APPLICATION
OF A. A. WEST & SONS FOR THE
APPROVAL OF A CHANGE IN POINT OF
DIVERSION OF WATER FROM ROCK CREEK
AND SPRINGS

ORDER AMENDING
ORDER APPROVING
TRANSFER NO. 2605

The administrative order of the State Engineer entered on August 21, 1973, and recorded at Pages 311 to 314, Volume 23, Special Order Record, in approval of water right transfer application No. 2605 in the name of A. A. West and Sons, for changes in point of diversion for irrigation of certain lands was in error due to the application and said order including a certain 4.7 acres of irrigated lands south and west of the channel of Rock Creek within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 1 North, Range 20 East, W.M., not owned by the applicant or irrigated through the applicant's system of works.

NOW, THEREFORE, it hereby is ORDERED that the administrative order of the State Engineer entered on August 21, 1973, and recorded at Pages 311 to 314, Volume 23, Special Order Record, be and the same is hereby AMENDED to read as follows:

Page 311, paragraph 2.

By Decree of the Circuit Court for Gilliam County, Oregon, entered November 16, 1956, In the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and its Tributaries, a water right was established in the name of B. Marick for the use of the waters of Rock Creek and Springs for the irrigation of, among other lands, 12.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M., with a date of priority of 1868, as evidenced by certificate of water right recorded at Page 25485, Volume 17, State Record of Water Right Certificates. These lands

are irrigated by means of the dams, ditches and flumes from a point of diversion located 1650 feet North from the Southeast corner of Section 24, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M.

Page 313, paragraph 3.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Rock Creek, to wit:

From a point located 1650 feet North from the Southeast corner of Section 24, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 1 North, Range 20 East, W.M.

To a point to be located 70 feet North and 5 feet West from the Southwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 1 North, Range 20 East, W.M.

for the irrigation of 12.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M., with a date of priority of 1868, and 9.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, Township 1 North, Range 20 East, W.M., with a date of priority of 1884, and 11.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, 4.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 5.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 23.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 1.0 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 17.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 1 North, Range 20 East, W.M., with a date of priority of 1894, is approved.

Dated at Salem, Oregon, this 3rd day of January, 1977.

/s/ JAMES E. SEXSON
Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Gilliam County

IN THE MATTER OF THE APPLICATION
OF A. A. WEST & SONS FOR THE
APPROVAL OF A CHANGE IN POINT OF
DIVERSION OF WATER FROM ROCK CREEK
AND SPRINGS

ORDER AMENDING
ORDER APPROVING
TRANSFER NO. 2605

The administrative order of the State Engineer entered on August 21, 1973, and recorded at Pages 311 to 314, Volume 23, Special Order Record, in approval of water right transfer application No. 2605 in the name of A. A. West and Sons, for changes in point of diversion for irrigation of certain lands was in error due to the application and said order including a certain 4.7 acres of irrigated lands south and west of the channel of Rock Creek within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 1 North, Range 20 East, W.M., not owned by the applicant or irrigated through the applicant's system of works.

NOW, THEREFORE, it hereby is ORDERED that the administrative order of the State Engineer entered on August 21, 1973, and recorded at Pages 311 to 314, Volume 23, Special Order Record, be and the same is hereby AMENDED to read as follows:

Page 311, paragraph 2.

By Decree of the Circuit Court for Gilliam County, Oregon, entered November 16, 1956, In the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and its Tributaries, a water right was established in the name of B. Marick for the use of the waters of Rock Creek and Springs for the irrigation of, among other lands, 12.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M., with a date of priority of 1868, as evidenced by certificate of water right recorded at Page 25485, Volume 17, State Record of Water Right Certificates. These lands

are irrigated by means of the dams, ditches and flumes from a point of diversion located 1650 feet North from the Southeast corner of Section 24, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M.

Page 313, paragraph 3.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Rock Creek, to wit:

From a point located 1650 feet North from the Southeast corner of Section 24, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 1 North, Range 20 East, W.M.

To a point to be located 70 feet North and 5 feet West from the Southwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 1 North, Range 20 East, W.M.

for the irrigation of 12.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M., with a date of priority of 1868, and 9.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, Township 1 North, Range 20 East, W.M., with a date of priority of 1884, and 11.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, 4.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 5.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 23.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 1.0 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 17.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 1 North, Range 20 East, W.M., with a date of priority of 1894, is approved.

Dated at Salem, Oregon, this 3rd day of January, 1977.

/s/ JAMES E. SEXSON
Director

BEFORE THE STATE ENGINEER OF OREGON

Gilliam County

IN THE MATTER OF THE APPLICA-)
TION OF A. A. WEST & SONS FOR)
THE APPROVAL OF A CHANGE IN POINT)
OF DIVERSION OF WATER FROM ROCK)
CREEK AND SPRINGS)
-----)

ORDER APPROVING
TRANSFER NO. 2605

On February 24, 1972, A. A. West and Sons filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Rock Creek and Springs, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Gilliam County, Oregon, entered November 16, 1956, In the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and its Tributaries, a water right was established in the name of B. Marick for the use of the waters of Rock Creek and Springs for the irrigation of, among other lands, 17.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M., with a date of priority of 1868, as evidenced by certificate of water right recorded at page 25485, Volume 17, State Record of Water Right Certificates. These lands are irrigated by means of the dams, ditches and flumes from a point of diversion located 1650 feet North from the SE corner of Section 24, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M.

By Decree of the Circuit Court for Gilliam County, Oregon, entered November 16, 1956, In the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and its Tributaries, a water right was established in the name of J. E. Stephens for the use of the waters of Rock Creek for the irrigation of, among

other lands, 9.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, Township 1 North, Range 20 East, W.M., with a date of priority of 1884, as evidenced by certificate of water right recorded at page 25839, Volume 17, State Record of Water Right Certificates. These lands are irrigated by means of an unnamed ditch from a point of diversion located 1650 feet North from the SE corner of Section 24, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M.

By Decree of the Circuit Court for Gilliam County, Oregon, entered November 16, 1956, In the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and its Tributaries, a water right was established in the name of W. P. West for the use of the waters of Rock Creek for the irrigation of, 11.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, 4.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 5.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 23.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 1.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 17.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 1 North, Range 20 East, W.M., with a date of priority of 1894, as evidenced by certificate of water right recorded at page 25989, Volume 17, State Record of Water Right Certificates. These lands are irrigated by means of the West, Stephenson, Marrick ditch from a point of diversion located 1650 feet North from the SE corner of Section 24, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 70 feet North and 5 feet West from the SW corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were,

namely: at the county courthouse in Condon, Oregon, on May 17, 1973 at 9:30 a.m. The notice was published in The Condon Globe Times, a newspaper printed and having general circulation in Gilliam County, Oregon, for a period of three weeks in the issues of March 23, 30, and April 6, 1973. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Monte E. Graham, Watermaster of District No. 4, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Rock Creek, to-wit:

From a point located 1650 feet North from the SE corner of Section 24, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 1 North, Range 20 East, W.M.

To a point to be located 70 feet North and 5 feet West from the SW corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 1 North, Range 20 East, W.M.

for the irrigation of 17.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 1 North, Range 20 East, W.M., with a date of priority of 1868, and 9.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, Township 1 North, Range 20 East, W.M., with a date of priority of 1884, and 11.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, 4.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 5.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 23.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 1.0 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 17.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 1 North, Range 20 East, W.M., with a date of priority of 1894, is approved.

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, 1974.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement 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.

It is FURTHER ORDERED that certificates of water right heretofore issued to B. Marick and recorded at page 25485, Volume 17, State Record of Water Right Certificates and J. E. Stephens and recorded at page 25839, Volume 17, State Record of Water Right Certificates, are canceled, and in lieu thereof new certificates be issued covering the balance of the lands not involved in this proceeding and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, certificates of water right shall be issued to A. A. West and Sons confirming the change in point of diversion.

It is FURTHER ORDERED that certificate of water right heretofore issued to W. P. West and recorded at page 25989, Volume 17, State Record of Water Right Certificates is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to A. A. West and Sons confirming the change in point of diversion.

Dated at Salem, Oregon, this 21st day of August, 1973.

/s/ CHRIS L. WHEELER
State Engineer

This certifies that the within instrument was received for record and by me duly recorded in Gilliam County records:

Vol. 2
 of .WATER RIGHT CERTIFICATES....
 on Page ... 178... this .. 24th day of
 October..... A.D. 19.. 74
 at .. 8:35..... o'clock .. A.. M.
 Marianne Anderson
 County Clerk

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. E. STEPHENS

of Rock Creek
 to the use of the waters of

Rock Creek

a tributary of

John Day River

irrigation of 49.2 acres

for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Grant County, and the said decree entered of record at Salem, in the Order Record of
 the STATE ENGINEER, in Volume 15, at page 461; that the priority of the right thereby
 confirmed dates from 1883 - Tract No. 1
 1884 - Tract No. 2

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 one-fortieth cubic foot
 per second per acre irrigated to June 1, and one-eightieth 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 season April 1 to September 30, measured at point of
 diversion.

The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, T. 1 N., R. 20 E., W. M.

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

Tract No. 119.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 24

T. 1 N., R. 20 E., W. M.

1.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ 21.2 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 19

T. 1 N., R. 21 E., W. M.

Tract No. 22.8 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 24

T. 1 N., R. 20 E., W. M.

An order of the State Engineer entered August 21, 1973, approves a change in point
 of diversion for the irrigation of 9.6 acres. This certificate is issued to confirm
 the remaining right and supersedes the certificate heretofore issued to J. E. Stephens
 and recorded at page 25839, 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 February 26, 19 74.


 State Engineer

Recorded in State Record of Water Right Certificates, Volume 31, page 39828

AFFIDAVIT OF PUBLICATION

STATE OF OREGON, COUNTY OF GILLIAM, ss:

I, James W. Mahaffey
being first duly sworn, depose and say that I am the
Publisher of the
CONDON GLOBE-TIMES, a newspaper of general cir-
culation as defined by Sections 1-509, 1-510, Oregon Code
printed and published at Condon in the aforesaid county
and state; that the Notice of Filing, a printed
copy of which is hereto annexed, was published in the
entire issue of said newspaper for 3 successive
and consecutive weeks in the following issues:

March 23, 1973

March 30, 1973

April 6, 1973

James W. Mahaffey

Subscribed and sworn to before me this 17th
day of April, 19673

Marianne Anderson
Notary Public for Oregon.

(My commission expires June 1, 1975)

Received \$....., payment in full for publication of
above notice.

CONDON GLOBE-TIMES

By

NOTICE OF FILING
APPLICATION FOR A
CHANGE IN POINT OF
DIVERSION OF WATER

Notice is given hereby that
A. A. West and Sons have
filed an application for the
approval of a change in point
of diversion of water from
Rock Creek.

In the John Day River Ad-
judication proceedings a water
right was established in the
name of J. E. Stephens, B.
Marick, W. P. West for the
use of the waters of Rock
Creek for domestic and stock
use, and irrigation of, among
other lands, 11.0 acres in
SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 9.6 acres in
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, 4.6
acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.2 acres
in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 5.6 acres in
NE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.6 acres in
NE $\frac{1}{4}$ SE $\frac{1}{4}$, 23.6 acres in
NW $\frac{1}{4}$ SE $\frac{1}{4}$, 1.0 acre in SW $\frac{1}{4}$
SE $\frac{1}{4}$, 17.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 14, and 17.3 acres in
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24,
Township 1 North, Range 20
East, W.M., with dates of
priority of 1884, 1868, and
1894.

The water is conveyed to
these lands by means of the
West, Stephenson and Marrick
Ditch from a point of diver-
sion located 1650 feet North
and 0 feet from the SE corner
of Section 24, being within
the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24,
Township 1 North, Range 20
East, W.M.

The applicant herein, owner
of the lands above described,
proposes to convey water to
these lands by means of West
Pump and Ditch from a point
of diversion to be located 70
feet North and 5 feet West
from the SW corner of NW $\frac{1}{4}$
NE $\frac{1}{4}$, being within the NE $\frac{1}{4}$
NW $\frac{1}{4}$ of Section 24, Town-
ship 1 North, Range 20 East,
W.M.

All persons interested are
notified hereby that a hearing
will be held at the county
courthouse at Condon, Ore-
gon, on May 17, 1973, at 9:30
a.m. All objections to the pro-
posed change, if any there
are, will be heard at said

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STATE ENGINEER
SALEM OREGON

time and place. Any and all
objections shall be prepared
in writing, one copy to be
served on A. A. West and
Sons, Arlington, Oregon, and
one copy filed with the State
Engineer, Salem, Oregon, to-
gether with a \$5 filing fee, at
least 10 days prior to the date
set for hearing. If no objec-
tions are filed, the application
may be approved by the State
Engineer without a hearing.
Administrative rules pertain-
ing to the filing of a protest
will be furnished by the State
Engineer upon request.

Dated at Salem, Oregon, this
16th day of March, 1973.

CHRIS L. WHEELER
State Engineer

Published March 23, 30 and
April 6, 1973. GT-30

OT

I certify that the within was received and duly recorded by me in Vol. 2, Record of Water Certificates, at Page 73-74, on the 11th day of June, 1959.

/s/ Donna R. Morgan Dep.
County Clerk

VOL. 2 PAGE 74

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

This Is to Certify, That B. MARICK

of Rock Creek, State of Oregon, has a right to the use of

the waters of Rock Creek and Springs

for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Grant County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 15, at page 461; that the priority of the right thereby confirmed dates from 1868

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 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 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 season April 1 to Sept. 30, measured at point of diversion.

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:

0.3 acre in NW 1/4 NE 1/4
25.0 acres in SW 1/4 NE 1/4
17.3 acres in NE 1/4 NW 1/4
15.6 acres in SE 1/4 NW 1/4
Section 24,
T. 1 N., R. 20 E., W. M.

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 1st day of May, 19 59

Levis A. Stanley
State Engineer

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

This Is to Certify, That B. MARICK

of Rock Creek, State of Oregon, has a right to the use of

the waters of Rock Creek and Springs

for the purpose of Irrigation of

Trib. John Day River
40.9 acres
45.6

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Grant

County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 15, at page 461; that the priority of the right thereby confirmed dates from 1868

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 $1/40$ cubic foot per second per acre irrigated to June 1 and $1/80$ 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 season April 1 to Sept. 30, measured at point of diversion.

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:

0.3 acre in NW $1/4$ NE $1/4$
25.0 acres in SW $1/4$ NE $1/4$
42 17.3 acres in NE $1/4$ NW $1/4$ (less 12.6 ac)
15.6 acres in SE $1/4$ NW $1/4$
Section 24,
T. 1 N., R. 20 E., W. M.

See Marick Letter
of April 30, 1973

DAV. PT. LOC. - NE $1/4$ SE $1/4$ Sec. 24, T. 1 N. R. 20 E. W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 25485, Volume 17, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Aug 21, 1973, approving transfer application No. 2605, as said order was amended by ~~an~~ an amending order entered January 3, 1977. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

WITNESS the signature of the State Engineer, affixed

this 1st day of May, 19 52

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 25485