



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301  
 (503) 986-0900  
[www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

# Ownership Update for Certificated Rights Only

## NO FEES ARE REQUIRED TO SUBMIT THIS FORM

**NOTICE:** A certificate of water right typically stays with the land. To track water right ownership, the Department requests that this form be submitted to the Department. **To update multiple rights, a separate form is required for each right.** If you have any questions about this form, please contact your local watermaster, or call the Water Resources Department at (503) 986-0900.

Note: Use the [assignment](#) form to change ownership on pending applications, permits, transfers, groundwater registrations, or limited licenses.

Received by OWRD

Current Landowner Information					
Name:					Darst & Alissa Atherly
Mailing Address:					71166 Red Barn Road
					Salem, OR
City:		Burns		State:	OR
				Zip:	97720
Phone:			(541)815-1933		Email: darst@ykw.net

Property Information									
County:	Harney		Township:	23	Range:	31	Section:	3	
Tax Lot #:	700 & 800								
Street Address of Water Right:		71166 Red Barn Road, Burns OR 97720							
Water Right Information									
Application:		G4420							
Permit:		G4165							
Certificate:		39766							
Are all the lands associated with this water right owned by the requestor?						<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
(If no, include a map showing the portion of the water right involved)									

Signature and Date			
Name of individual completing form:		Colby Marshall	
Phone or email:		541-573-7206	Date: 3/5/2024
Signature of requestor:			

The Department does not change names on water right certificates. This form will be placed in the file for future reference only. If mailed, the Department will not provide acknowledgment of receipt.

This form can be mailed to the address above or sent by email to [wrd\\_dl\\_customerservice@water.oregon.gov](mailto:wrd_dl_customerservice@water.oregon.gov)

STATE OF OREGON  
COUNTY OF HARNEY  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That TOMMY JOSEPH SWISHER**

**97738**  
of **Route 1, Box 74, Burns**, State of **Oregon**, has made proof to the satisfaction of the **STATE ENGINEER** of Oregon, of a right to the use of the waters of a well

a tributary of **Silvies River** for the purpose of  
**supplemental irrigation of 72.2 acres**

under Permit No. **G-4165** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **May 29, 1968**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **0.71 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 in the **SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 3, T. 23 S., R. 31 E., W. M., 690 feet South and 1340 feet East, from the NW Corner, SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 3.**

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-eightieth** 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 **3 acre feet per acre** for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

**40.0 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
32.2 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 3  
T. 23 S., R. 31 E., W. M.**

Received by OWRD

MAR 05 2024

Salem, OR

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

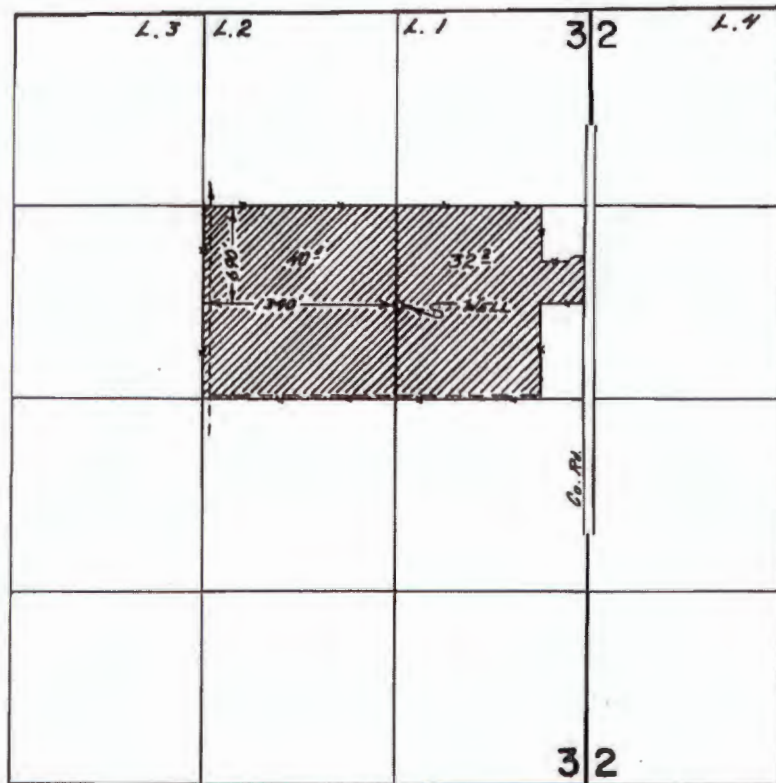
this date. **January 30, 1974**

.....**Chris L. Wheeler**.....

State Engineer

# T. 23 S. R. 31 E. W. M

Received by OWRD  
MAR 05 2002  
Salem, OR



## FINAL PROOF SURVEY UNDER

Application No. G-4420 Permit No. G-4165  
IN NAME OF

TOMMY JOSEPH SWISHER

Surveyed Aug. 24 1998, by R. G. MURPHY