

STATE OF OREGON

COUNTY OF

MORROW

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

LAKE PENLAND CORPORATION

of **Heppner**, State of **Oregon**, 97836, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of **Mallory Creek and Lake Penland** constructed under Application No. R-45087, Permit No. R-5445 a tributary of **John Day River** for the purpose of recreation

under Permit No. **34211** 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 **October 2, 1969** 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 **2.0 cubic feet 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 **South 39 degrees 10 minutes East, 1500 feet from the Center ¼ Corner, Section 22, NW¼ SE¼, Section 22, T. 5 S., R. 28 E., W. M.;**

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 _____ of one cubic foot per second per acre,

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:

NE¼ NE¼
SW¼ NE¼
SE¼ NE¼
NE¼ SE¼
NW¼ SE¼
Section 22
NW¼ NW¼
SW¼ NW¼
Section 23

T. 5 S., R. 28 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. December 19, 1977

James E. Sexson

Water Resources Director