

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that ROBERT G. VAN SCHOIACK, of ROUTE 1, HEPPNER, OREGON 97836, has a right to the use of the waters of ROCK CREEK, A TRIBUTARY OF JOHN DAY RIVER, for the purpose of IRRIGATION OF 28.6 ACRES.

The right has been perfected under Permit 40172. The date of priority is DECEMBER 22, 1975. The right is limited to not more than 0.53 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW1/4 NE1/4, NW1/4 NW1/4, SECTION 29, SE1/4 SW1/4, SECTION 20, T4S, R24E, WM; 50 FEET SOUTH & 810 FEET EAST; 45 FEET SOUTH & 3590 FEET EAST, BOTH FROM NW CORNER SECTION 29; 230 FEET NORTH & 1490 FEET EAST FROM SW CORNER SECTION 20.

The right 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, and to which such right is appurtenant, is as follows:

0.2 ACRE SW1/4 SW1/4
6.9 ACRES SE1/4 SW1/4
7.1 ACRES SW1/4 SE1/4
SECTION 20

0.8 ACRE NE1/4 NE1/4
4.3 ACRES NW1/4 NE1/4
9.3 ACRES NW1/4 NW1/4
SECTION 29

TOWNSHIP 4 SOUTH, RANGE 24 EAST, W.M.

In processing the application towards issuance of the permit, it appears that a clerical error was inadvertently made in limiting the duty of water to not exceed 1/40 of one cubic foot per second per acre and 5.0 acre feet per acre. In the issuance of this Certificate, the duty of water has been reduced to 1/40 cubic foot per second per acre and 4.0 acre feet per acre for each acre irrigated during the irrigation season of each year, in keeping with the customary policy and determination of this office of the proper maximum limits.

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. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date OCTOBER 10, 1988.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57838