

STATE OF OREGON
COUNTY OF WASCO
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ESTATE OF JESSE P. MILLER
C/O JOE MILLER
2800 FIVE MILE ROAD
THE DALLES, OREGON 97508

confirms the right to use the waters of A SPRING AND FIVE MILE CREEK, tributaries of COLUMBIA RIVER, for the purpose of IRRIGATING 26.9 ACRES.

The right has been perfected under Permit 43396. The date of priority is JUNE 5, 1978. The right is limited to not more than 0.34 CUBIC FOOT PER SECOND; BEING 0.04 CFS FROM FIVEMILE CREEK AND 0.30 CFS FROM FIVEMILE CREEK WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM FIVEMILE CREEK TO BE APPROPRIATED FROM THE SPRING, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SW 1/4 NW 1/4, SECTION 5, SE 1/4 NE 1/4, SECTION 6, T 1 S, R 13 E, W.M.; SPRING - 1930 FEET SOUTH AND 2090 FEET WEST, CREEK - 2140 FEET SOUTH AND 3460 FEET WEST, 1500 FEET SOUTH AND 1770 FEET WEST, ALL FROM N 1/4 CORNER SECTION 5.

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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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:

	<u>CREEK</u>	<u>SPRING AND CREEK</u>
NE 1/4 NW 1/4		7.4 ACRES
NW 1/4 NW 1/4		1.8 ACRES
SW 1/4 NW 1/4		10.2 ACRES
SE 1/4 NW 1/4		2.0 ACRES
SECTION 5		
SE 1/4 NE 1/4	2.8 ACRES	2.7 ACRES
SECTION 6		
TOWNSHIP 1 SOUTH, RANGE 13 EAST, W.M.		

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 AUGUST 18, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 62209
57478.SB