

STATE OF OREGON  
COUNTY OF GRANT  
CERTIFICATE OF WATER RIGHT

THIS PROPOSED CERTIFICATE ISSUED TO

POWAY CITRUS COMPANY  
% DUSTIN B. ROSE  
P.O. BOX 960  
CORONADO, CALIFORNIA 92118

confirms the right to use the waters of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for the purpose of IRRIGATING 43.0 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for GRANT County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at page 461. The date of priority is 1892.

The right is limited to not more than 1.08 CUBIC FEET PER SECOND IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION.

The points of diversion are located as follows:

LOT 3 (NW 1/4 SW 1/4), LOT 4 (SW 1/4 SW 1/4), SECTION 30;  
LOT 2 (SW 1/4 NW 1/4), SECTION 31, T 10 S, R 26 E, W.M.; LOT 4 (NW 1/4 NW 1/4), SECTION 6, T 11 S, R 26 E, W.M.; DIV PT 1 - 430 FEET SOUTH AND 390 FEET EAST; DIV PT 2 - 2550 FEET SOUTH AND 220 FEET EAST, BOTH FROM THE WEST 1/4 CORNER OF SECTION 30; DIV PT 3 - 1670 FEET SOUTH AND 1140 FEET EAST FROM THE NW CORNER OF SECTION 31; DIV PT 7 - 520 FEET SOUTH AND 660 FEET EAST FROM THE NW CORNER OF SECTION 6.

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-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated from April 1 to September 30; further limited to one acre-foot per acre per calendar month not to exceed 5.0 acre-feet per acre during the irrigation season.

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

|  |            |
|--|------------|
| SE 1/4 NE 1/4                          | 2.0 ACRES  |
| SE 1/4 SE 1/4                          | 6.0 ACRES  |
| SECTION 25                             |            |
| NE 1/4 NE 1/4                          | 22.0 ACRES |
| SE 1/4 NE 1/4                          | 13.0 ACRES |
| SECTION 36                             |            |
| TOWNSHIP 10 SOUTH, RANGE 25 EAST, W.M. |            |

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This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resource Director entered May 30, 1978, approving transfer 3907 and supercedes certificate 24856, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date AUGUST 14, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 64726.

T-3907A.JW