

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 14.2 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 1889.

The right is limited to not more than 0.36 CUBIC FOOT PER SECOND IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION.

The point of diversion is located as follows:

SE 1/4 SW 1/4, SECTION 7, T 10 S, R 26 E, W.M.; DIV 4A - 580 FEET NORTH AND 1690 FEET EAST FROM THE SW CORNER OF SECTION 7.

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:

SW 1/4 SW 1/4 3.7 ACRES
SE 1/4 SW 1/4 8.7 ACRES
SECTION 7

NE 1/4 NW 1/4 1.8 ACRES
SECTION 18
TOWNSHIP 10 SOUTH, RANGE 26 EAST, W.M.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director approving transfer 3908 and supercedes certificate 25242, 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 64727.

T-3908.JW