

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILIP J. AND MARGARET KUHL
BOX 417
JOHN DAY, OREGON 97845

confirms the right to use the waters of LITTLE MALHEUR RIVER, SQUAW CREEK AND ANDERSON CREEK, a tributary of MALHEUR RIVER, for IRRIGATING 94.0 ACRES.

This right was perfected under Permit 44571. The date of priority is APRIL 16, 1979. This right is limited to 2.35 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source, BEING 0.84 CFS FROM ANDERSON CREEK AND 1.51 CFS FROM SQUAW CREEK WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM EITHER SOURCE TO BE MADE UP BY DIVERSION OF WATER FROM THE LITTLE MALHEUR RIVER.

The points of diversion are located as follows:

POD 1 - NW 1/4 NE 1/4, SECTION 36, T 15 S, R 36 E, W.M.; 90 FEET SOUTH AND 210 FEET EAST FROM THE N 1/4 CORNER OF SECTION 36.

POD 2 - SW 1/4 NE 1/4, SECTION 36, T 15 S, R 36 E, W.M.; 1780 FEET SOUTH AND 1030 FEET EAST FROM THE N 1/4 CORNER OF SECTION 36.

POD 3 - SE 1/4 NE 1/4, SECTION 36, T 15 S, R 36 E, W.M.; 1400 FEET SOUTH AND 1400 FEET EAST FROM THE N 1/4 CORNER OF SECTION 36.

POD 4 - SW 1/4 NE 1/4, SECTION 36, T 15 S, R 36 E, W.M.; 1940 FEET SOUTH AND 780 FEET EAST FROM THE N 1/4 CORNER OF SECTION 36.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

	<u>ANDERSON CREEK</u>	<u>SQUAW CREEK</u>
SW 1/4 NE 1/4	5.8 ACRES	2.7 ACRES
SE 1/4 NE 1/4		5.6 ACRES
NE 1/4 SE 1/4		22.1 ACRES
NW 1/4 SE 1/4	18.4 ACRES	2.6 ACRES
SW 1/4 SE 1/4	9.2 ACRES	2.0 ACRES
SE 1/4 SE 1/4		25.6 ACRES

SECTION 36
TOWNSHIP 15 SOUTH, RANGE 36 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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed
OCTOBER 26, 1992.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67919.
58540.JM