

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILIP MURPHY  
BOX 114  
MONUMENT, OREGON 97864

confirms the right to use the waters of COTTONWOOD CREEK, a tributary of JOHN DAY RIVER, for IRRIGATING 28.4 ACRES.

This right was perfected under Permit 34281. The date of priority is DECEMBER 3, 1968. This right is limited to 0.71 CUBIC FOOT PER SECOND, 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 NE 1/4, NE 1/4 SE 1/4, SECTION 12, TOWNSHIP 9 SOUTH, RANGE 27 EAST, WM; 4870 FEET SOUTH AND 1110 FEET EAST; 6120 FEET SOUTH AND 2270 FEET EAST; BOTH FROM CENTER 1/4 CORNER OF SECTION 1.

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 4.0 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:

|               |            |
|---------------|------------|
| SW 1/4 NE 1/4 | 20.4 ACRES |
| SE 1/4 NE 1/4 | 1.2 ACRES  |
| NE 1/4 SE 1/4 | 0.8 ACRE   |
| NW 1/4 SE 1/4 | 6.0 ACRES  |

SECTION 12  
TOWNSHIP 9 SOUTH, RANGE 27 EAST, WM

This certificate properly describes the portion of Certificate 61991 appurtenant to Philip Murphy's property confirmed by certificate 44181, State Record of Water Right Certificates, Not modified by the provisions of two orders of the Water Resources Director entered November 25, 1987, approving transfer application 5966 and changing a portion of the right to supplemental irrigation and an order entered June 9, 1989, amending the transfer order of November 25, 1987. This certificate along with Certificate 68392, supersedes Certificate 61991, 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. 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 this date SEP 1 1994, 1994.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68393.