

STATE OF OREGON

COUNTY OF Malheur

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

DAVID THOMAS
THOMAS, MICHELE
4593 JOHN DAY HIGHWAY
VALE, OR 97918

confirms the right to store the waters of AN UNNAMED STREAM, A TRIBUTARY OF WILLOW CREEK IN THOMAS RESERVOIR 2 for IRRIGATION.

The right to store and use these waters was perfected under Reservoir Application R-77841. The date of priority is January 1, 1993. The amount of water entitled to be stored and used each year under this right is not more than 16.2 ACRE-FEET

Located as follows:

SE 1/4 NW 1/4
SECTION 16
TOWNSHIP 17 SOUTH, RANGE 44 EAST, WM.

The storage of water allowed herein is subject to the maintenance of the outlet gate. The outlet gate shall be cycled at least once each year and shall be fully operational at all times to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

Routine maintenance of the dam, spillway and appurtenant structures shall be performed as necessary to remove trees, brush and debris, and to repair slumps, areas of erosion, or defective equipment.

The structure shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director of the Water Resources Department or the Director's authorized representative. Except for routine repair and maintenance, plans and specifications prepared by an Oregon licensed engineer are required for any modification to the dam, spillway or appurtenant structures.

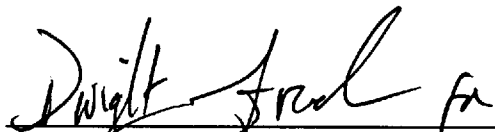
This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

R-77841.GC

Certificate Number 71101

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

Issued August 30, 2004.



Phillip C. Ward, Acting Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 71101.

R-77841.GC