

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TOM COLE
DIAMOND C RANCH
TWICKENHAM STAR ROUTE
MITCHELL, OREGON 97750

confirms the right to use the waters of JOHN DAY RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION OF 30.9 ACRES.

This right was perfected under Permit 44419. The date of priority is JULY 11, 1979. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.77 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 28, T 9 S, R 21 E, W.M.; 170 FEET NORTH AND 390 FEET WEST FROM THE SE CORNER OF SECTION 28.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre 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:

NW 1/4 SE 1/4	3.0 ACRES
SW 1/4 SE 1/4	21.4 ACRES
SE 1/4 SE 1/4	6.5 ACRES
SECTION 28	
TOWNSHIP 9 SOUTH, RANGE 21 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 MARCH 27, 1996.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72207.

58893.JM