

STATE OF OREGON
COUNTY OF HOOD RIVER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

H. BRUCE MCFARLANE
3825 STANFORD WAY
LIVERMORE, CALIFORNIA 94550

confirms the right to use the waters of WASTE WATER FROM S 1/3 S 1/2 S 1/2 SECTION 34, a tributary of PHELPS CREEK, for SUPPLEMENTAL IRRIGATION OF 7.6 ACRES.

This right was perfected under PERMIT 14818. The date of priority is MARCH 26, 1941. The amount of water to which such right is entitled and hereby confirmed, for the purpose aforesaid, is limited to an amount actually beneficially used for said purpose and shall not exceed 0.095 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:

NW 1/4 SE 1/4, SECTION 34, T. 3 N., R 10 E., W. M.

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 a diversion of ONE-EIGHTIETH of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated, and 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 7.6 ACRES
SECTION 34

TOWNSHIP 3 NORTH, RANGE 10 EAST, W.M.

This certificate is issued to correctly describe the place of use of the water right confirmed by the prior certificate recorded at Page 74308, State Record of Water Right Certificates and supersedes Certificate 74308.

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 is subject to all other conditions and limitations contained in said permit. This right shall be limited to the water available at the point of diversion and shall not carry with it the right to compel the continuance of waste water.

WITNESS the signature of the Water Resources Director, affixed NOV 26 1997

/s/ MARTHA O. PAGEL

Martha O. Pagel, Director