

STATE OF OREGON
COUNTY OF BENTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LORA C. HOWARD
ROUTE 1, BOX 441
PHILOMATH, OREGON 97370

confirms the right to use the waters of MARY'S RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 19.9 ACRES.

This right was perfected under Permit 43042. The date of priority is MARCH 31, 1978. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.25 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:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, AS PROJECTED WITHIN EGAN DLC 49, SECTION 2, T 12 S, R 6 W, W.M.; 950 FEET SOUTH AND 170 FEET EAST FROM THE SW CORNER KENNEDY DLC 77.

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-EIGHTIETH 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 2 $\frac{1}{2}$ 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:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.5 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.3 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.1 ACRES
ALL AS PROJECTED WITHIN EGAN DLC 49
SECTION 2
TOWNSHIP 12 SOUTH, RANGE 6 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 51551, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 27 1999, approving Transfer Application 7864.

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 JAN 27 1999.

/s/ Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75980.

T-7864.PKS