

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TERRY LEE FOOTER
HC 82 BOX 204
KIMBERLY, OREGON 97848

confirms the right to use the waters of the NORTH FORK JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 20.1 ACRES.

This right was perfected under Permit 43145. The date of priority is MARCH 21, 1978. This right is limited to 0.50 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 1/4 SE 1/4, SECTION 16, T 9 S, R 26 E, W.M.; BEING 800 FEET SOUTH AND 150 FEET WEST FROM THE EAST 1/4 CORNER, SECTION 16.

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 5.0 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:

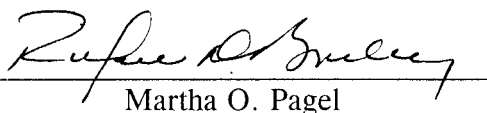
NW 1/4 NW 1/4 3.4 ACRES
SW 1/4 NW 1/4 6.9 ACRES
SECTION 15

NE 1/4 NE 1/4 9.4 ACRES
SE 1/4 NE 1/4 0.4 ACRE
SECTION 16

TOWNSHIP 9 SOUTH, RANGE 26 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 JANUARY 28, 1999.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75984.