

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WALTER McEWEN ESTATES
P.O. BOX 166
JORDAN VALLEY, OR 97710

confirms the right to use the waters of WELLS 3, 4, 10 and 19 in the MALHEUR LAKE BASIN for IRRIGATION OF 732.0 ACRES.

This right was perfected under Permit G-10390. The date of priority is MARCH 26, 1984. This right is limited to 9.15 CUBIC FOOT PER SECOND (CFS), BEING 7.625 CFS FROM WELLS 3, 4, 10 and 1.525 CFS FROM WELL 19, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL NO. 3 - SE 1/4 SE 1/4, SECTION 9, TOWNSHIP 24 SOUTH, RANGE 33 EAST, W.M.; 3960 FEET SOUTH AND 1310 FEET WEST FROM THE NE CORNER OF SECTION 9;

WELL NO. 4 - NE 1/4 NE 1/4, SECTION 15, TOWNSHIP 24 SOUTH, RANGE 33 EAST, W.M.; 1275 FEET SOUTH AND 1230 FEET WEST FROM THE NE CORNER OF SECTION 15;

WELL NO. 10 - SE 1/4 NW 1/4, SECTION 14, TOWNSHIP 24 SOUTH, RANGE 33 EAST, W.M.; 1360 FEET SOUTH AND 1410 FEET EAST FROM THE NW CORNER OF SECTION 14; AND

WELL NO. 19 - NW 1/4 NW 1/4, SECTION 11, TOWNSHIP 24 SOUTH, RANGE 33 EAST, W.M.; 1300 FEET SOUTH AND 1300 FEET EAST FROM THE NW CORNER OF SECTION 11.

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-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 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:

WELLS 3, 4 AND 10

NE 1/4 SE 1/4	30.5 ACRES
NW 1/4 SE 1/4	30.5 ACRES
SW 1/4 SE 1/4	30.5 ACRES
SE 1/4 SE 1/4	30.5 ACRES
NE 1/4 SW 1/4	30.5 ACRES
NW 1/4 SW 1/4	30.5 ACRES
SW 1/4 SW 1/4	30.5 ACRES
SE 1/4 SW 1/4	30.5 ACRES

SECTION 10

NE 1/4 SW 1/4	30.5 ACRES
NW 1/4 SW 1/4	30.5 ACRES
SW 1/4 SW 1/4	30.5 ACRES
SE 1/4 SW 1/4	30.5 ACRES

SECTION 11

TOWNSHIP 24 SOUTH, RANGE 33 EAST, W.M.

WELLS 3, 4 AND 10 (CONTINUED)

NE 1/4 NW 1/4 30.5 ACRES
NW 1/4 NW 1/4 30.5 ACRES
SW 1/4 NW 1/4 30.5 ACRES
SE 1/4 NW 1/4 30.5 ACRES

SECTION 14

NE 1/4 NE 1/4 30.5 ACRES
NW 1/4 NE 1/4 30.5 ACRES
SW 1/4 NE 1/4 30.5 ACRES
SE 1/4 NE 1/4 30.5 ACRES

SECTION 15

TOWNSHIP 24 SOUTH, RANGE 33 EAST, W.M.

WELL 19

NE 1/4 NW 1/4 30.5 ACRES
NW 1/4 NW 1/4 30.5 ACRES
SW 1/4 NW 1/4 30.5 ACRES
SE 1/4 NW 1/4 30.5 ACRES

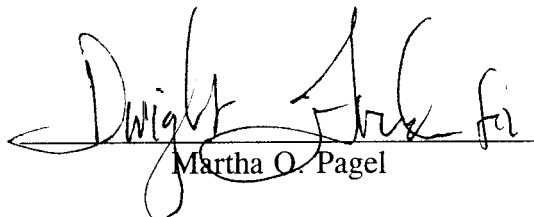
SECTION 11

TOWNSHIP 24 SOUTH, RANGE 33 EAST, W.M.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. When required by the department, the water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 8, 2000.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76398.