

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHARLES D. POWELL
28881 S. SALOW ROAD
MULINO, OR 97042

confirms the right to use the water of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 1.9 ACRES.

The right was perfected under PERMIT 38066. The date of priority is JANUARY 7, 1975. The amount of water to which such right is entitled for the purposes aforesaid is limited to an amount actually beneficially used for said purposes and shall not exceed 0.05 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

Lot 4 NW¼ NW¼, Section 1, Township 10 South, Range 21 East, W. M.; #1 — 360 feet South and 1020 feet East from the NE Corner, Section 2.

Lot 1 NE¼ NE¼, Section 2, Township 10 South, Range 21 East, W.M.; #2 — 290 feet South and 280 feet West from the NE Corner, Section 2; and #3 — 480 feet South and 450 feet West from the NE Corner, Section 2.

The amount of water used for irrigation with the amount secured under any other right existing for the same lands shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall further be limited to a diversion not to exceed 2½ acre feet per acre for each acre irrigated during the irrigation season of each year.

The use of water under this right for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

LOT 4 NW¼ NW¼ 0.9 ACRE
SECTION 1

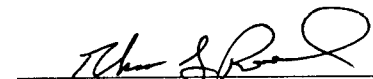
LOT 1 NE¼ NE¼ 1.0 ACRE
SECTION 2
TOWNSHIP 10 SOUTH, RANGE 21 EAST, W. M.

This certificate describes that portion of the water right confirmed by Certificate 55850, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on JUL 09 2001, at Special Order Volume 55, Page 700, canceling a portion of said water right.

The issuance of this superseding certificate does not confirm the status of the water right in regards 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 JUL 09 2001.


for Paul R. Cleary, Director