

STATE OF OREGON
COUNTY OF HOOD RIVER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN F. CUSHMAN
415 COUNTRY CLUB ROAD
HOOD RIVER, OR 97031

confirms the right to use the waters of PHELPS CREEK, a tributary of COLUMBIA RIVER, for IRRIGATION OF 2.4 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for HOOD RIVER COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 19, at Page 78. The date of priority is September 14, 1904.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 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 NW 1/4, SECTION 34, TOWNSHIP 3 NORTH, RANGE 10 EAST, W.M.

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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The irrigation season allowed under this right is fixed as being April 15 and ending October 31 of each year.

A description of the place of use to which this right is appurtenant is as follows:

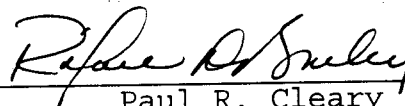
2.4 ACRES SW 1/4 SW 1/4
SECTION 27
TOWNSHIP 3 NORTH, RANGE 10 EAST, W.M.

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 and is subject to all other conditions and limitations contained in said decree.

Certificate Number 77038

The issuance of this certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed AUGUST 23, 2001.



Paul R. Cleary