

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JACK HARRIS
30347 MALHEUR LINE LANE
HUNTINGTON, OREGON 97907

confirms the right to use the waters of ONE WELL in the MALHEUR BASIN for SUPPLEMENTAL IRRIGATION OF 170.6 ACRES.

This right was perfected under Permit G-11015. The date of priority is MARCH 30, 1989. This right is limited to 2.13 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 NW 1/4, SECTION 13, T 14 S, R 43 E, W.M.; SOUTH 50 DEGREES 34 MINUTES EAST 2667.2 FEET FROM THE NW CORNER OF SECTION 13.

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. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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:

NE 1/4 SE 1/4 2.6 ACRES
SE 1/4 SE 1/4 20.0 ACRES
SECTION 11

SW 1/4 SW 1/4 3.8 ACRES
SE 1/4 SW 1/4 0.1 ACRE
SECTION 12

NE 1/4 NW 1/4 14.2 ACRES
NW 1/4 NW 1/4 37.9 ACRES
SW 1/4 NW 1/4 27.5 ACRES
SE 1/4 NW 1/4 11.5 ACRES
SECTION 13

NE 1/4 NE 1/4 22.9 ACRES
SE 1/4 NE 1/4 30.1 ACRES
SECTION 14

TOWNSHIP 14 SOUTH, RANGE 43 EAST, W.M.

In processing the application towards issuance of the permit, it appears a clerical error was inadvertently made in limiting the duty of water to not exceed 1/40th of one cubic foot per second per acre and 3 ½ acre-feet per acre. In the issuance of this certificate, the duty of water has been corrected to 1/80th cubic foot per second per acre and 3 acre-feet per acre for each acre irrigated during the irrigation season of each year, in keeping with the customary policy and determination of this office of the proper maximum limits.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and keep a complete record of the amount of ground water withdrawn.

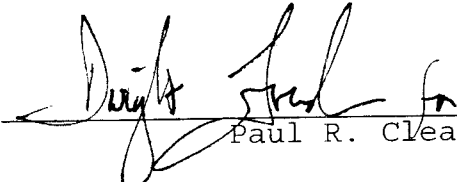
Failure to comply with any of the provision of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

WITNESS the signature of the Water Resources Director, affixed March 29, 2002.


Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79413.