

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BILL TOWEILL
P.O. Box 580
JOHN DAY, OREGON 97845

JIM AND CALI DEMING
1188 NE 27TH STREET #61
BEND, OREGON 97701

confirms the right to use the waters of EAST FORK LUCE CREEK, a tributary of the JOHN DAY RIVER, for IRRIGATION OF 7.2 ACRES.

This right was perfected under Permit 41353. The date of priority is FEBRUARY 3, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.18 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:

SE 1/4 SW 1/4, SECTION 33, TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.;
1050 FEET NORTH AND 1480 FEET EAST FROM THE SOUTHWEST CORNER OF
SECTION 33; AND

NW 1/4 SW 1/4 AND SW 1/4 NW 1/4, SECTION 33, T 13 S, R 31 E, W.M.;
PUMPING BETWEEN 1575 FEET NORTH AND 1300 FEET EAST AND 3010 FEET NORTH
AND 700 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 33, ALONG EAST
FORK LUCE CREEK.

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-FORTIETH 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 4.0 acre-feet per acre 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:

SW 1/4 NW 1/4	1.3 ACRES
NE 1/4 SW 1/4	2.1 ACRES
NW 1/4 SW 1/4	3.5 ACRES
SE 1/4 SW 1/4	0.3 ACRE

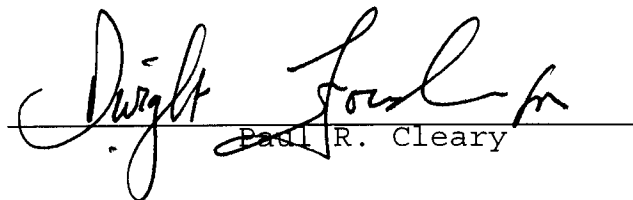
SECTION 33

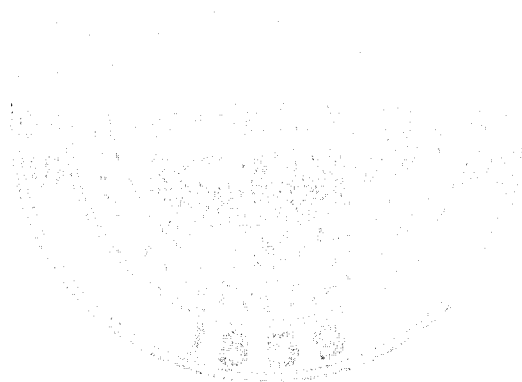
TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

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 September 17, 2002.


Paul R. Cleary



Recorded in State Record of Water Right Certificates Number 79612.

S-55187.JM/SB