

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

R. D. MAC INC.  
P.O. BOX 1086  
LAGRANDE, OREGON 97850

confirms the right to use the waters of GRANDE RONDE RIVER, a tributary of SNAKE RIVER, for IRRIGATION OF 74.1 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for UNION COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 8, at Page 1. The date of priority is JUNE 1865.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed THREE ACRE FEET PER ACRE IN ANY IRRIGATION SEASON, DIVERTED AT A RATE OF NOT TO EXCEED ONE-FORTIETH OF A CUBIC FOOT PER SECOND PER ACRE IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION DESCRIBED AS CAVINESS AND MAY WATER DITCHES - SW 1/4 SE 1/4, SECTION 32, TOWNSHIP 2 SOUTH, RANGE 38 EAST, W.M., 475 FEET NORTH AND 660 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 32; AND SE 1/4 SE 1/4, SECTION 32, TOWNSHIP 2 SOUTH, RANGE 38 EAST, W.M.; 55 FEET SOUTH AND 1654 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 32.

The point of diversion is located as follows:

SW 1/4 SE 1/4, SECTION 32, TOWNSHIP 2 SOUTH, RANGE 38 EAST, W.M.; 640 FEET NORTH AND 190 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 32.

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

NW 1/4 SW 1/4 40.0 ACRES  
NE 1/4 SW 1/4 34.1 ACRES

SECTION 14  
TOWNSHIP 3 SOUTH RANGE 38 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.

SUPERSEDED BY  
CERT. NO. **91332** Certificate Number 79875

The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

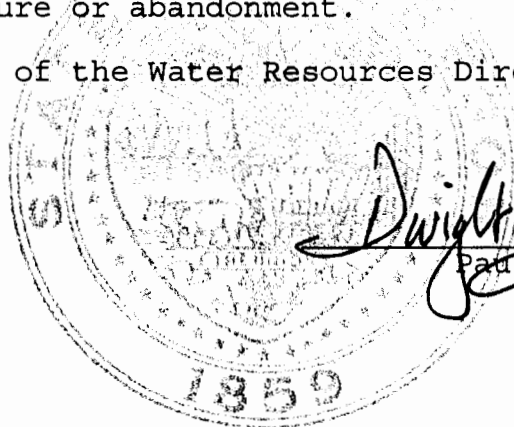
The water user shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

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.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered OCTOBER 2, 1996, and together with Certificate 77031 AND SPECIAL ORDER OF THE WATER RESOURCES DIRECTOR ENTERED IN VOLUME 55, PAGE 514 APPROVING TRANSFER APPLICATION NO. T-8417, CANCELLATION OF A PORTION OF THE RIGHT AND CORRECTING THE LOCATION OF LANDS DESCRIBED BY CERTIFICATE 76929, supersedes Certificate 6196, State Record of Water Right Certificates.

The issuance of this superseding 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 January 29, 2003.



*Dwight Ford* for  
Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 79875.

T-7362A.SB