

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BILL AND JEAN McNEIL  
4210 EAST 12<sup>TH</sup>  
OAKLAND, CA 94601

confirms the right to use the waters of JOHN DAY RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION OF 46.2 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for GRANT COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at Page 461. The date of priority is 1868.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1/40 CUBIC FOOT PER SECOND PER ACRE IRRIGATED FROM APRIL 1 TO SEPTEMBER 30; FURTHER LIMITED TO ONE ACRE-FOOT PER ACRE PER CALENDAR MONTH TO JULY 1 AND 3/4 ACRE-FOOT PER ACRE THEREAFTER; TOTAL FIVE ACRE-FEET PER ACRE FOR SEASON, MEASURED AT POINT OF DIVERSION (IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION AT THE MILLER AND TROWBRIDGE DITCH DIVERSIONS).

The points of diversion are located as follows:

NEW PUMP DIVERSION - NE 1/4 NE 1/4, SECTION 25, TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.; 380 FEET SOUTH AND 520 FEET WEST FROM THE NE CORNER OF SECTION 25; AND

FRED MILLER DITCH DIVERSION - NE 1/4 NW 1/4, SECTION 30, TOWNSHIP 13 SOUTH, RANGE 32 EAST, W.M.; 180 FEET SOUTH AND 2100 FEET EAST FROM THE NW CORNER OF SECTION 30.

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

SW 1/4 SE 1/4 15.7 ACRES

SE 1/4 SE 1/4 18.0 ACRES

SECTION 24

NE 1/4 NE 1/4 8.0 ACRES

SECTION 25

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.

SW 1/4 SW 1/4 4.5 ACRES  
SECTION 19  
TOWNSHIP 13 SOUTH, RANGE 32 EAST, W.M.

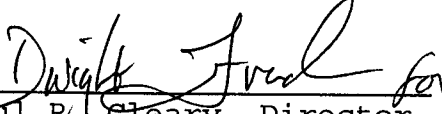
When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to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

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered SEPTEMBER 18, 1992, supersedes Certificate 25641, 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.

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.

Issued April 25, 2003

  
Paul R. Cleary, Director  
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80044.

T-6564A.SB