

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BILL AND JEAN McNEIL
4210 EAST 12TH
OAKLAND, CA 94601

confirms the right to use the waters of JOHN DAY RIVER, tributary of COLUMBIA RIVER, for PRIMARY IRRIGATION OF 13.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 9.5 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 OLIVER DITCH DIVERSION DESCRIBED AS BEING WITHIN THE SW 1/4 SW 1/4, SECTION 21, TOWNSHIP 13 SOUTH, RANGE 32 EAST, W.M.).

The point of diversion is located as follows:

NE 1/4 NE 1/4, SECTION 25, TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.; 500 FEET SOUTH AND 600 FEET WEST FROM THE NE CORNER OF SECTION 25.

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

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4	* 12.8 ACRES	
	SECTION 25	
	TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.	
NW 1/4 NW 1/4	* 0.7 ACRE	9.5 ACRES
	SECTION 30	
	TOWNSHIP 13 SOUTH, RANGE 32 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.

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.

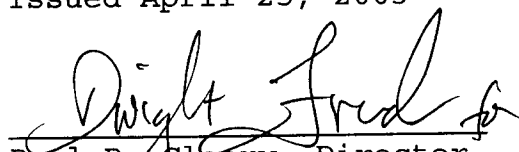
The water user shall maintain a record of, and upon request of the Watermaster, report the quantity diverted.

This certificate is issued to confirm a change in USE, PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 6, 1992, and together with Certificate 67940, supersedes Certificate 25642, 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 80046.

T-6710A.SB