

DC

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RODNEY POTTER
GENERAL DELIVERY
BATES, OR 97817

EARL RANDALL SWEET
JACQUELINE OAKLEY
P.O. BOX 274
MONUMENT, OR 97864

TERRANCE KILBY
DEBORAH KILBY
HCR 79 BOX 10
MONUMENT, OR 97864

confirms the right to use the waters of COTTONWOOD CREEK, a tributary of the NORTH FORK JOHN DAY RIVER, for IRRIGATION 28.1 ACRES

This right was perfected under Permit 44380. The date of priority is JULY 5, 1979. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.70 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

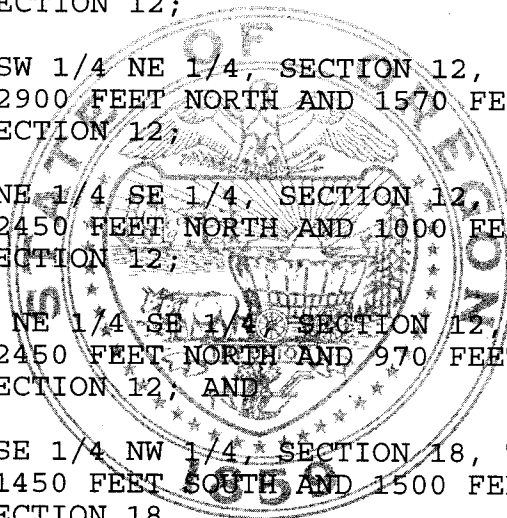
DIVERSION # 1 - NE 1/4 SE 1/4, SECTION 12, TOWNSHIP 9 SOUTH, RANGE 27 EAST, W.M.; 1650 FEET NORTH AND 400 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 12;

DIVERSION # 2 - SW 1/4 NE 1/4, SECTION 12, TOWNSHIP 9 SOUTH, RANGE 27 EAST, W.M.; 2900 FEET NORTH AND 1570 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 12;

DIVERSION # 3 - NE 1/4 SE 1/4, SECTION 12, TOWNSHIP 9 SOUTH, RANGE 27 EAST, W.M.; 2450 FEET NORTH AND 1000 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 12;

DIVERSION # 3A - NE 1/4 SE 1/4, SECTION 12, TOWNSHIP 9 SOUTH, RANGE 27 EAST, W.M.; 2450 FEET NORTH AND 970 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 12, AND

DIVERSION # 4 - SE 1/4 NW 1/4, SECTION 18, TOWNSHIP 9 SOUTH, RANGE 28 EAST, W.M.; 1450 FEET SOUTH AND 1500 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 18.



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 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 5.0 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:

DIVERSION # 1 and/or 3A	NE 1/4 SE 1/4	3.0 ACRES
DIVERSION # 2	NE 1/4 SE 1/4	0.8 ACRE
DIVERSION # 4	NE 1/4 SE 1/4	3.4 ACRES
DIVERSION # 2	NW 1/4 SE 1/4	0.8 ACRE
DIVERSION # 2	SW 1/4 NE 1/4	9.9 ACRES
DIVERSION # 3	NE 1/4 SE 1/4	1.4 ACRES
DIVERSION # 3	SE 1/4 SE 1/4	1.8 ACRES

SECTION 12

TOWNSHIP 9 SOUTH, RANGE 27 EAST, W.M.

DIVERSION # 1 and/or 3A	LOT 3 (NW 1/4 SW 1/4)	2.3 ACRES
DIVERSION # 1 and/or 3A	LOT 4 (SW 1/4 SW 1/4)	3.0 ACRES
DIVERSION # 3	SW 1/4 SW 1/4	1.7 ACRES

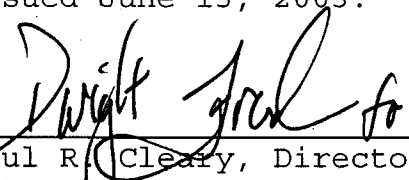
SECTION 7

TOWNSHIP 9 SOUTH, RANGE 28 EAST, W.M.

In processing the application towards issuance of the permit, it appears that a clerical error was inadvertently made in limiting the duty of water to not exceed 4 acre-feet per acre. In the issuance of this certificate, the duty of water has been raised to 5 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 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.

Issued June 13, 2003.


 Paul R. Cleary, Director
 Water Resources Department

Recorded in State Record of Water Right Certificates Number 80230.
 58866.JM