

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GARY McCABE, TRUSTEE
McCABE FAMILY TRUST
P.O. BOX 1743
REDMOND, OR 97236

confirms the right to use the waters of DESCHUTES RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION OF 2.1 ACRE.

This right was perfected under Permit 15920. The date of priority is MAY 12, 1944. This right is limited to 0.026 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SE 1/4, SECTION 26, TOWNSHIP 14 SOUTH, RANGE 12 EAST, W.M.; 765 FEET NORTH AND 215 FEET WEST FROM THE SE CORNER, SW 1/4 SE 1/4, SECTION 26.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year, SUBJECT TO CONDITIONS AND LIMITATIONS SET OUT IN THE STIPULATION OF AUGUST 1, 1944, BETWEEN THE ARNOLD IRRIGATION DISTRICT AND THE HOLDER OF THIS RIGHT AS RECORDED ON PAGE 1250 IN VOLUME 2 OF THE MISCELLANEOUS RECORDS OF THE STATE ENGINEER AND FURTHER SUBJECT TO THE CONDITIONS DESIGNATED IN THE WAIVER OF AUGUST 22, 1944, BY JAMES W. POE, RECORDED ON PAGE 1251, VOLUME 2 OF THE MISCELLANEOUS RECORDS OF THE STATE ENGINEER.

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:

NW 1/4 NW 1/4 2.1 ACRES
SECTION 35
TOWNSHIP 14 SOUTH, RANGE 12 EAST, W.M.

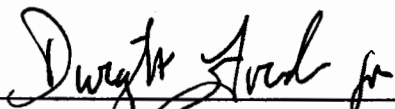
This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered MAY 20, 2003, and together with Certificate 80226, supersedes Certificate 80173, State Record of Water Right Certificates.

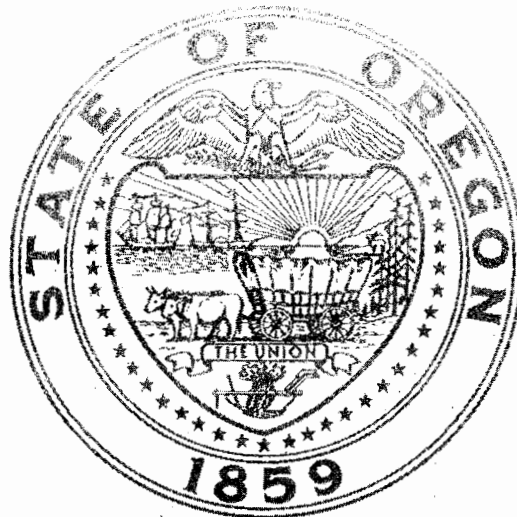
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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. 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 December 18, 2003.



Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80477.