

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAQUETTA L. ZURBRICK
63521 HALLEY ROAD
LAGRANDE, OREGON 97850;

BOB BROOKS
62606 BOOTH LANE
LAGRANDE, OREGON 97850;

ROBERT CARVER
216704 E GAME FARM ROAD
KENNEWICK, WASHINGTON 99337; AND

RICK EWING
62908 MT GLENN ROAD
LAGRANDE, OREGON 97850

confirms the right to use the waters of THE GRANDE RONDE RIVER, a tributary of SNAKE RIVER, for IRRIGATION OF 90.2 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 1872.

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 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:

NEW ORODELL DITCH - SW 1/4 SW 1/4, SECTION 31, TOWNSHIP 2 SOUTH, RANGE 38 EAST, W.M.; 1853.33 FEET SOUTH AND 80.84 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 31.

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

ZURBRICK (CHANGE IN POINT OF DIVERSION ONLY)

NE 1/4 SE 1/4 7.75 ACRES

NW 1/4 SE 1/4 39.10 ACRES

SECTION 22

TOWNSHIP 2 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.

CARVER (CHANGE IN POINT OF DIVERSION ONLY)

NW 1/4 SW 1/4 12.0 ACRES
SECTION 28

EWING, CARVER AND BROOKS (CHANGE IN PLACE OF USE)

NE 1/4 SW 1/4 2.75 ACRES (EWING)
NW 1/4 SW 1/4 25.6 ACRES (CARVER)
NW 1/4 SE 1/4 3.0 ACRES (BROOKS)
SECTION 28

TOWNSHIP 2 SOUTH, RANGE 38 EAST, W.M.


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 AND PLACE OF USE approved by an order of the Water Resources Director entered AUGUST 7, 2003, and together with Certificate 80398, supersedes Certificate 79513, State Record of Water Right Certificates.

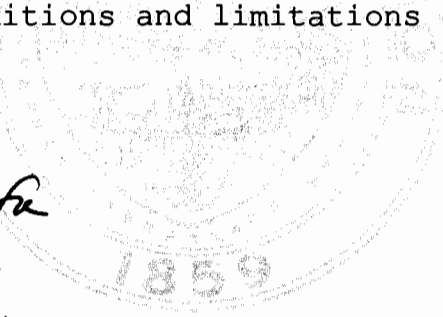
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 FEBRUARY 23, 2004.



Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80622.