

STATE OF OREGON
COUNTY OF WASCO
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOST AND BOULDER DITCH CO.
P.O. BOX 12
WAMIC, OR 97063

confirms the right to use the waters of LOST AND BOULDER CREEKS, tributaries of the WHITE RIVER for IRRIGATION OF 540.35 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Wasco County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 7 and 11, at Pages 196 and 416, respectively. The date of priority is 1911.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 13.11 CFS UP TO JULY 1 AND THEREAFTER 6.35 CFS, which shall be further limited to a maximum diversion of 1451.0 ACRE FEET, and not to exceed 1.0 ACRE-FOOT PER ACRE during any 30 day period up to July 1 of each year and not to exceed 3.0 ACRE-FEET PER ACRE during any irrigation season, provided that the rate of flow shall not exceed ONE-FORTIETH OF A SECOND FOOT PER ACRE up to July 1 of each year and thereafter not to exceed ONE-EIGHTIETH OF A SECOND FOOT PER ACRE, except in the case of rotation.

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

TRACT 2: IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	11 E	WM	36	NE SE	0.03
4 S	11 E	WM	36	SW SE	10.50
4 S	11 E	WM	36	SE SE	8.80
4 S	12 E	WM	32	SW SW	15.80
4 S	12 E	WM	33	SE NE	7.30
4 S	12 E	WM	34	NE SW	28.80
4 S	12 E	WM	34	SW SW	6.00
4 S	12 E	WM	34	SE SW	8.00
4 S	12 E	WM	34	NE SE	8.80
4 S	12 E	WM	34	NW SE	17.30
4 S	12 E	WM	34	SW SE	7.30
4 S	12 E	WM	34	SE SE	18.30
5 S	11 E	WM	1	SW NW	30.00
5 S	11 E	WM	1	NW SW	0.77
5 S	11 E	WM	1	NE SE	29.00
5 S	11 E	WM	1	NW SE	20.00

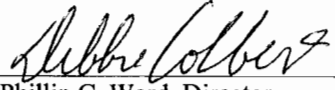
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

TRACT 2: IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	11 E	WM	1	SW SE	1.00
5 S	11 E	WM	2	NE NE	1.40
5 S	11 E	WM	2	SW NE	4.60
5 S	11 E	WM	2	NE SE	4.55
5 S	11 E	WM	2	NW SE	3.00
5 S	11 E	WM	2	SW SE	22.40
5 S	11 E	WM	2	SE SE	6.40
5 S	11 E	WM	10	NE SE	25.00
5 S	11 E	WM	10	NW SE	15.00
5 S	11 E	WM	10	SW SE	8.01
5 S	11 E	WM	10	SE SE	10.00
5 S	11 E	WM	12	NE NE	14.70
5 S	11 E	WM	12	NW NE	5.30
5 S	11 E	WM	12	SW NE	11.40
5 S	11 E	WM	12	SE NE	19.60
5 S	11 E	WM	12	NE SE	4.00
5 S	11 E	WM	12	NW SE	10.00
5 S	11 E	WM	12	SW SE	3.00
5 S	11 E	WM	12	SE SE	8.30
5 S	11 E	WM	15	NE NE	9.40
5 S	11 E	WM	15	NW NE	0.80
5 S	12 E	WM	5	NE NE	14.30
5 S	12 E	WM	5	NE NW	1.00
5 S	12 E	WM	5	SE NW	1.00
5 S	12 E	WM	5	NE SE	5.50
5 S	12 E	WM	5	NW SE	4.20
5 S	12 E	WM	5	SW SE	7.09
5 S	12 E	WM	6	NE NE	5.50
5 S	12 E	WM	6	NW NE	4.70
5 S	12 E	WM	6	SW NE	4.30
5 S	12 E	WM	6	SW NW	0.20
5 S	12 E	WM	6	SE NW	7.00
5 S	12 E	WM	6	NE SW	6.50
5 S	12 E	WM	7	NE NE	16.60
5 S	12 E	WM	7	NE NW	14.00
5 S	12 E	WM	7	SE NW	21.00
5 S	12 E	WM	8	NW NE	4.30
5 S	12 E	WM	8	NE NW	1.00
5 S	12 E	WM	8	NW NW	11.30
5 S	12 E	WM	8	SW NW	4.00
5 S	12 E	WM	8	SE NW	2.30

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director recorded in Special Order Volume 63, Page 166, approving conserved water application C-35, and together with Certificate 81335 (the remaining right for Tracts 1 and 3), and Certificate 81336 (the instream right created by the allocation of conserved water) supercedes Certificate 80559, State Record of Water Right Certificates.

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

WITNESS the signature of the Water Resources Director, affixed March 24, 2006.

for 
Phillip C. Ward, Director