

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILLIP W. MURPHY  
MONUMENT, OREGON

confirms the right to use the waters of BIG CREEK, a tributary of the MIDDLE FORK JOHN DAY RIVER, for IRRIGATION of 9.30 ACRES.

This right was perfected under Permit 25442. The date of priority is April 11, 1958.

The amount of water to which this right is entitled is limited to an amount actually beneficially used for the described purposes and shall not exceed 0.12 cubic foot per second, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

| TWP | RNG  | MER  | SEC | LOT | ¼ - ¼ | LOCATION                                                            |
|-----|------|------|-----|-----|-------|---------------------------------------------------------------------|
| 9 S | 32 E | W.M. | 21  |     | NE SW | 450 FEET WEST AND 1400 FEET NORTH FROM THE S ¼ CORNER OF SECTION 21 |
| 9 S | 32 E | W.M. | 34  |     | NE SW | 60 FEET WEST AND 2040 FEET NORTH FROM THE S ¼ CORNER OF SECTION 21  |

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands shall be limited to 1/40 of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

| IRRIGATION |   |     |   |     |     |     |     |     |       |
|------------|---|-----|---|-----|-----|-----|-----|-----|-------|
| TWP        |   | RNG |   | MER | SEC | 1/4 | 1/4 | DLC | ACRES |
| 9          | S | 32  | E | WM  | 21  | SE  | SW  |     | 7.10  |
| 9          | S | 32  | E | WM  | 28  | NE  | NW  |     | 2.20  |
| TOTAL:     |   |     |   |     |     |     |     |     | 9.30  |

This certificate describes that portion of the water right confirmed by Certificate 33056, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered JUL 28 2005, and recorded in Special Order Volume 65, Page 402, canceling a portion of the water right. This certificate supersedes Certificate 33056.

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 water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued: July 28, 2005

  
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Phillip C. Ward, Director  
Water Resources Department