

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GLENN S. CHOWNING
ERIN R. CHOWNING
P.O. BOX 862
HERMISTON, OREGON 97838

confirms the right to use the waters of the COLUMBIA RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION OF 23.0 ACRES.

This right was perfected under Permit S-37293. The date of priority is FEBRUARY 7, 1974. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.58 CUBIC FOOT PER SECOND (CFS), PROVIDED FURTHER THE TOTAL AMOUNT DIVERTED UNDER ALL WATER RIGHTS PERFECTED UNDER PERMIT 37293 DOES NOT EXCEED 99.92 CFS or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

LOT 7 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), SECTION 2, T 4 N, R 25 E, W.M.; 150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 2.

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 4.5 acre-feet 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:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 11.1 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.4 ACRE
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 11.5 ACRES
SECTION 10

TOWNSHIP 3 NORTH, RANGE 26 EAST, W.M.

When required by the Department, the water user or improvement district shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the amount 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.

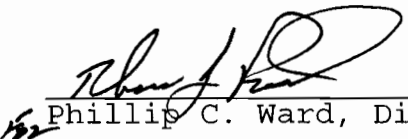
When required by the Department, the water user or improvement district shall operate and maintain the headgate and measuring device, as needed. The water user or improvement district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

This certificate describes that portion of the water right confirmed by Certificate 80301, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 08 2005, approving Transfer Application 8376.

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 flow.

WITNESS the signature of the Water Resources Director,
affixed August 8, 2005.


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81579.