

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PAT AND HEDY VOIGT  
P.O. BOX 397  
PRAIRIE CITY, OREGON 97869

confirms the right to use the waters of VINEGAR CREEK, a tributary of the MIDDLE FORK JOHN DAY RIVER, for IRRIGATION of 22.9 ACRES and SUPPLEMENTAL IRRIGATION OF 123.1 ACRES.

This right was perfected under Permit 26720. The date of priority is APRIL 28, 1960. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.65 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion. The period of use of water under this right is limited to the time period of April 1 to July 20 of each year.

The point of diversion is located as follows:

| Twp  | Rng  | Mer | Sec | Q-Q   | Survey Coordinates                                                    |
|------|------|-----|-----|-------|-----------------------------------------------------------------------|
| 11 S | 35 E | WM  | 9   | SW NE | 1830 FEET SOUTH AND 1760 FEET WEST<br>FROM THE NE CORNER OF SECTION 9 |

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-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season APRIL 1 through JULY 20 of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 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.

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

| PRIMARY |      |     |     |       |       |
|---------|------|-----|-----|-------|-------|
| Twp     | Rng  | Mer | Sec | Q-Q   | Acres |
| 11 S    | 35 E | WM  | 16  | SE SE | 5.4   |
| 11 S    | 35 E | WM  | 21  | NE NE | 5.0   |
| 11 S    | 35 E | WM  | 21  | NW NE | 12.5  |

| SUPPLEMENTAL |      |     |     |       |       |
|--------------|------|-----|-----|-------|-------|
| Twp          | Rng  | Mer | Sec | Q-Q   | Acres |
| 11 S         | 35 E | WM  | 15  | SW SW | 4.4   |
| 11 S         | 35 E | WM  | 16  | SE SE | 26.0  |
| 11 S         | 35 E | WM  | 21  | NE NE | 26.2  |
| 11 S         | 35 E | WM  | 21  | NW NE | 27.4  |
| 11 S         | 35 E | WM  | 21  | SE NE | 1.0   |
| 11 S         | 35 E | WM  | 21  | SE SW | 3.6   |
| 11 S         | 35 E | WM  | 21  | NE SE | 14.8  |
| 11 S         | 35 E | WM  | 21  | NW SE | 6.4   |
| 11 S         | 35 E | WM  | 21  | SW SE | 11.0  |
| 11 S         | 35 E | WM  | 21  | SE SE | 2.3   |

This certificate confirms the right modified by an order of the Water Resources Director, entered October 19, 2005, and recorded in Special Order Volume 67, Page **323**, diminishing and limiting the irrigation season to the time period of April 1 through July 20 of each year. This certificate supersedes Certificate 39037.

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.

WITNESS the signature of the Water Resources Director, affixed October 19, 2005.

*Phillip C. Ward*  
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For Phillip C. Ward, Director