

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

L.A. PORTER  
JOHN DAY, OREGON

confirms the right to use the waters of JOHN DAY RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION OF 21.2 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for GRANT County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at Page 461. The date of priority is 1866.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE-FORTIETH CUBIC FOOT PER SECOND per acre irrigated from April 1 to September 30; further limited to one acre-foot per acre per calendar month to July 1 and 3/4 acre-foot per acre thereafter; total five (5) acre-feet per acre for season, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LUCE DITCH

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

SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	0.2 ACRE
NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	1.5 ACRES
NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	3.1 ACRES
SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	4.7 ACRES
SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	11.7 ACRES

SECTION 21

TOWNSHIP 13 SOUTH, RANGE 31 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 50137, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 18, 2005, approving Transfer Application 6863 and correctly describes the authorized point of diversion.

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.

WITNESS the signature of the Water Resources  
Director, affixed November 18, 2005

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

Recorded in State Record of Water Right Certificates numbered 81730