

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SMITH AND SON

confirms the right to use the waters of the PINE CREEK, a tributary of the JOHN DAY RIVER for IRRIGATION of 32.8 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 Special Order Volume 15, at Page 461. The date of priority is 1908.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH cubic foot per second per acre irrigated to June 1, and ONE-EIGHTIETH cubic foot per second per acre thereafter; further limited to one acre-foot per calendar month to June 1 and four acre-feet per acre during season April 1 to September 30, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

Cloverfield Dams and Ditches.

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

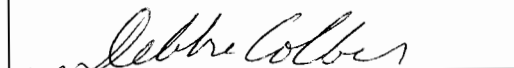
A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	32 E	WM	14	SW SW	3.0
13 S	32 E	WM	14	SE SW	7.6
13 S	32 E	WM	23	NE NW	12.7
13 S	32 E	WM	23	NW NW	4.0
13 S	32 E	WM	23	SW NW	5.5

This certificate describes that portion of the water right confirmed by Certificate 53018, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered April 13, 2006 approving Transfer Application 7437.

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.

WITNESS the signature of the Water Resources Director, affixed April 13, 2006.


Phillip C. Ward, Director