

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES AND JOHN HABBERSTAD
424 WASHINGTON ST
THE DALLES OR 97058

confirms the right to use the waters of A WELL in the John Day Basin for IRRIGATION of 2.7 ACRES, and SUPPLEMENTAL IRRIGATION of 139.6 ACRES.

This right was perfected under Permit G-8353. The date of priority is APRIL 25, 1978. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.46 CUBIC FEET PER SECOND (CFS), being 0.03 CFS for PRIMARY IRRIGATION and 1.43 CFS for SUPPLEMENTAL IRRIGATION or its equivalent in case of rotation, measured at the well.

The use allowed herein may be made any time when water can be put to beneficial use, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
1 N	21 E	WM	30	NW NW	1		850 FEET SOUTH AND 1260 FEET EAST FROM NW CORNER, SECTION 30

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-EIGHTIETH 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year; and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the period from April 1 to September 30, and shall be further limited to a diversion of not to exceed 1.0 acre foot per acre for the period from October 1 through March 31, provided further that the right allowed herein, together with the amount allowed under any other right existing for the same lands, shall not exceed 3.0 acre feet for each acre irrigated in any one year. 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.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
1 N	20 E	WM	25	NE NE			2.2
1 N	20 E	WM	25	SE NE			0.5

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
1 N	20 E	WM	25	NE NE			7.7
1 N	20 E	WM	25	SE NE			15.0
1 N	20 E	WM	25	NE SE			0.5
1 N	21 E	WM	19	SW SW	4		16.9
1 N	21 E	WM	30	NW NE			0.9
1 N	21 E	WM	30	SW NE			10.8
1 N	21 E	WM	30	NE NW			10.8
1 N	21 E	WM	30	NW NW	1		25.8
1 N	21 E	WM	30	SW NW	2		27.1
1 N	21 E	WM	30	SE NW			19.4
1 N	21 E	WM	30	NE SW			0.8
1 N	21 E	WM	30	NW SW	3		0.9
1 N	21 E	WM	30	NW SE			3.0

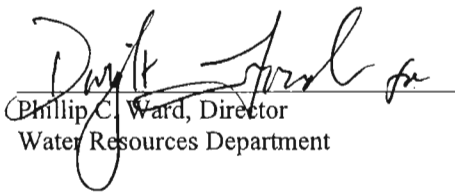
The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

The works shall include an airline and pressure gauge or an access port for a measuring line, adequate to determine the water level elevation in the well at all times.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

WITNESS the signature of the Water Resources Director, affixed MAR 30 2007


 Phillip C. Ward, Director
 Water Resources Department