

STATE OF OREGON  
COUNTY OF WHEELER  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ADRIAN AND KAY FISHER  
30218 SOUTH APPALOOSA DRIVE  
MOLALLA OREGON 97038

confirms the right to use the waters of CLUBFOOT HOLLOW AND RESERVOIR CONSTRUCTED UNDER PERMIT R-8262, TRIBUTARIES OF PINE CREEK, for SUPPLEMENTAL IRRIGATION of 19.0 ACRES.

This right was perfected under Permit 45711. The date of priority is JUNE 25, 1980. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.475 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

| Twp | Rng  | Mer | Sec | Q-Q   | GLot | DLC | Survey Coordinates                                               |
|-----|------|-----|-----|-------|------|-----|------------------------------------------------------------------|
| 8 S | 21 E | WM  | 10  | NW NE |      |     | 200 FEET SOUTH AND 1660 FEET WEST FROM THE NE CORNER, SECTION 10 |

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 of each year from direct flow and storage from the reservoir constructed under Permit R-8262; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior existing right for the same land and shall not exceed the limitation allowed herein.

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

| Twp | Rng  | Mer | Sec | Q-Q   | GLot | DLC | Acres |
|-----|------|-----|-----|-------|------|-----|-------|
| 8 S | 21 E | WM  | 4   | SW NE |      |     | 1.7   |
| 8 S | 21 E | WM  | 4   | SW NW | 5    |     | 0.3   |
| 8 S | 21 E | WM  | 4   | SE NW |      |     | 2.8   |
| 8 S | 21 E | WM  | 4   | NE SW |      |     | 2.0   |
| 8 S | 21 E | WM  | 4   | NE SE |      |     | 2.4   |
| 8 S | 21 E | WM  | 4   | NW SE |      |     | 9.8   |

**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.

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 of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued JUL 31 2008

  
Phillip C. Ward, Director  
Water Resources Department