

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of MALHEUR RIVER, tributary to SNAKE RIVER, for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.

This right was perfected under Permit S-33946. The date of priority is OCTOBER 25, 1968. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.075 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion, from March 1 to October 31 of each year..

The description of the stream reach in which flows are to be maintained is as follows:

From the location of the diversion authorized under Special Order Volume 76 Page 435 located approximately at:

| Twp | Rng | Mer | Sec | Q-Q | GLot | Measured Distances |
|------|------|-----|-----|-------|------|--|
| 17 S | 47 E | WM | 21 | NE NW | 1 | 350 FEET SOUTH AND 1980 FEET EAST FROM THE NW CORNER OF SECTION 21 |

To the Oregon/Washington state line.

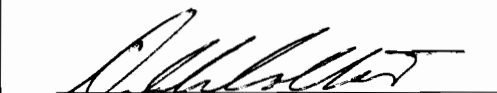
Within the specified stream reach, the amount of water to which this right is entitled shall not exceed the quantity of water legally available at the original point of diversion.

The instream right established by this allocation of conserved water shall be in addition to instream water rights established pursuant to ORS 537.348 or 537.470, unless otherwise specified by a subsequent order establishing a new instream water right.

The right is subject to all other terms and conditions of Certificate 74021, and any related decree.

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director recorded in Special Order Volume 76, Page 435, approving Conserved Water Application CW-55, and supersedes Certificate 74021, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed OCT 13 2008


Phillip C. Ward, Director

This is a final 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 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.