

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SHUMWAY CONSERVANCY, LLC
LINDSAY WINSOR, PROPERTY MANAGER
224 SE 20TH PLACE
MILTON-FREEWATER, OR 97862

confirms the right to use the waters of COUSE CREEK, tributary of the WALLA WALLA RIVER, for IRRIGATION of 24.3 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by Certificate 13208. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1895.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, IF AVAILABLE AT THE AUTHORIZED POINT OF DIVERSION: A.R. SHUMWAY DITCH- SW¼ NW¼, SECTION 5, T 4 N, R 36 E, W.M.; or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	36 E	WM	31	SW SE	420 FEET NORTH AND 2252 FEET WEST FROM THE SE CORNER, SECTION 31

The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

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

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
4 N	36 E	WM	5	SW NW		4.5
4 N	36 E	WM	6	NE NE	1	3.3
4 N	36 E	WM	6	SE NE		7.4
5 N	36 E	WM	31	SW SE		9.1

NOTICE OF RIGHT TO 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.

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

When required by the Department, the water user or irrigation district shall operate the headgate and measuring device, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may monitor the accuracy of the measuring device, as needed.

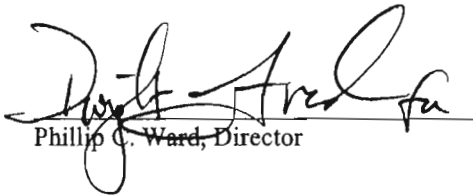
The water user shall maintain a fish screen or fish by-pass device.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered July 30, 2004, at Special Order Volume 60, Page 870, approving Transfer Application 9007, superceding Certificate 13208, State record of Water Right Certificates.

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.

NOV 07 2008

Issued _____



Phillip C. Ward, Director