

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRANK W OLSON
83108 HWY 82
WALLOWA OR 97885

confirms the right to use the waters of LOSTINE RIVER (AKA SOUTH FORK OF THE WALLOWA RIVER), tributary to the WALLOWA RIVER for IRRIGATION of 16.0 ACRES, DOMESTIC, AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at Page 205. The dates of priority are 1896 FOR TRACT NO. 2 AND APRIL 8, 1886 FOR TRACT NO. 3.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1½ acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in said decree, if available at the original points of diversion: MILES DITCH - SW¼ NW¼, SECTION 10, T 1 S, R 43 E, W.M., and MILES MAGILL DITCH - NW¼ SW¼, SECTION 10, T 1 S, R 43 E, W.M., 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	Measured Distances
1 S	43 E	WM	15	SE SW			1200 FEET NORTH & 2165 FEET EAST FROM SW CORNER, SECTION 15

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

Twp	Rng	Mer	Sec	Q-Q	Tract	Acres
1 S	43 E	WM	9	SE NE	2	12.0
1 S	43 E	WM	9	SE NE	3	4.0

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.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

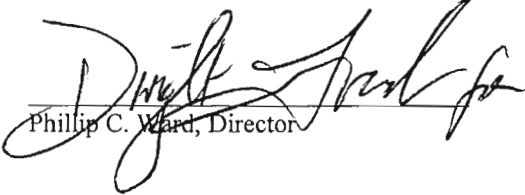
NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

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.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered April 8, 1996, at Special Order Volume 50, Page 175, approving Transfer Application 7089, and supercedes Certificate 45011, 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.

Issued AUG 21 2009 .


Phillip C. Ward, Director