

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MAX AND IRENE FERGUSON
PO BOX 27
MT VERNON OR 97865

confirms the right to use the waters of JOHN DAY RIVER, tributary to COLUMBIA RIVER for IRRIGATION of 1.1 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Grant County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 15, at Page 461. The date of priority is 1887. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH of one cubic foot per second per acre irrigated from April 1 to September 30; further limited to ONE acre foot per acre per calendar month to July 1 and 3/4 acre foot per acre thereafter; total five acre feet per acre for season, measured at the point of diversion.

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 13 S | 29 E | WM | 20 | SW NW | 640 FEET NORTH AND 520 FEET EAST FROM W1/4 CORNER, SECTION 20 |

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

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|------|------|-----|-----|-------|-------|
| 13 S | 29 E | WM | 20 | SW NW | 1.1 |

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion, located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 13 S | 29 E | WM | 27 | NW NE | 50 FEET SOUTH AND 3380 FEET EAST FROM NW CORNER, SECTION 27 |

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 PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered March 30, 1995, at Special Order Volume 49, Page 135, approving Transfer Application 6779, and together with Certificate 68542, supersedes Certificate 39362, 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 13 2010 .



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Water Resources Department