

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LEWIS D. NEAL JR AND MARY E. NEAL
41720 MANNY NEAL RD
KIMBERLY, OR 97848

BRIAN AND PATRICE PRATER
PO BOX 20
MCKENNA, WA 98558

confirms the right to use the waters of NORTH FORK JOHN DAY RIVER, tributary to COLUMBIA RIVER for IRRIGATION of 73.4 ACRES.

The date of priority is MARCH 29, 1956. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.17 CUBIC FEET PER SECOND (cfs) [being 0.12 cfs for lands owned by Neal and 1.05 cfs for lands owned by Prater] measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	27 E	WM	7	SW NE	(2 PUMPS)1910 FEET SOUTH AND 1530 FEET WEST FROM NE CORNER, SECTION 7

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 5 acre-feet per acre for each acre irrigated during the irrigation season of each year. 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 is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Owner
9 S	27 E	WM	7	SW NE	5.0	Neal
9 S	27 E	WM	7	SW NE	5.2	Prater
9 S	27 E	WM	7	SE NW	0.2	Prater
9 S	27 E	WM	7	NE SW	28.3	Prater
9 S	27 E	WM	7	NW SE	34.7	Prater

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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

Measurement, recording and reporting conditions:

- A. The water users shall maintain the totalizing flow meters, or other measuring device, in good working order.
- B. The water user shall allow the watermaster access to the meters or measurement devices; provided however, where the meters or measuring devices are located within a private structure, the watermaster shall request access upon reasonable notice.

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.

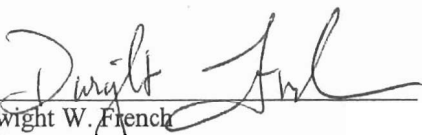
Twp	Rng	Mer	Sec	Q-Q
9 S	27 E	WM	7	SW NE

The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with Oregon Department of Fish and Wildlife's operational and maintenance standards.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered July 12, 2010, at Special Order Volume 81, Page 372, approving Transfer Application 10984, and supersedes Certificate 29970, 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.

Issued MAY 01 2012



 Dwight W. French
 Water Right Services Administrator, for
 Phillip C. Ward, Director