

STATE OF OREGON  
COUNTY OF WHEELER  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROWE CREEK RANCH, INC.  
MITCHELL, OR 97750

confirms the right to use the waters of ROWE CREEK and ROWE CREEK RESERVOIR, constructed under Permit No. R-930, tributary of the JOHN DAY RIVER, for IRRIGATION of 37.7 ACRES and SUPPLEMENTAL IRRIGATION of 160.8 ACRES.

This right was perfected under Permit S-18275. The date of priority is APRIL 8, 1947. The amount of water to which this right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.81 cubic foot per second from Rowe Creek and 232.95 acre-feet from the reservoir or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

| Twp | Rng  | Mer | Sec | Q - Q | Measured Distances                                                            |
|-----|------|-----|-----|-------|-------------------------------------------------------------------------------|
| 9 S | 21 E | WM  | 11  | SE NW | RESERVOIR - 3000 FEET NORTH AND 1840 FEET EAST FROM THE NE CORNER, SECTION 15 |
| 9 S | 21 E | WM  | 11  | SE NW | 2830 FEET NORTH AND 1780 FEET EAST FROM THE NE CORNER OF SECTION 15           |
| 9 S | 21 E | WM  | 15  | NE NE | 30 FEET SOUTH AND 460 FEET WEST FROM THE NE CORNER OF SECTION 15              |
| 9 S | 21 E | WM  | 15  | NE NE | 160 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 15             |
| 9 S | 21 E | WM  | 15  | NW SE | 3560 FEET SOUTH AND 1980 FEET WEST FROM THE NE CORNER OF SECTION 15           |
| 9 S | 21 E | WM  | 22  | SW SW | 5340 FEET NORTH AND 5050 FEET WEST FROM THE SE CORNER OF SECTION 27           |
| 9 S | 21 E | WM  | 28  | NE NE | 5080 FEET NORTH AND 5360 FEET WEST FROM THE SE CORNER OF SECTION 27           |

The amount of water to which this right is entitled and is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH of one cubic foot per second (cfs) per acre for each acre irrigated from direct flow prior to June 1<sup>st</sup> and thereafter ONE-EIGHTIETH of one cfs or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 1.0 acre-foot per acre for each acre irrigated during any month prior to June 1<sup>st</sup> and shall be further limited to a total diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season from April 1<sup>st</sup> to September 30<sup>th</sup> of each year from direct flow and storage from reservoir constructed under Permit No. R-930, and further limited to the use of stored water only on lands described supplemental.

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

| IRRIGATION |      |     |     |       |       |
|------------|------|-----|-----|-------|-------|
| Twp        | Rng  | Mer | Sec | Q - Q | Acres |
| 9 S        | 21 E | WM  | 15  | NE NE | 5.0   |
| 9 S        | 21 E | WM  | 15  | SE NE | 11.2  |
| 9 S        | 21 E | WM  | 15  | NE SE | 9.5   |

| IRRIGATION |      |     |     |       |       |
|------------|------|-----|-----|-------|-------|
| Twp        | Rng  | Mer | Sec | Q - Q | Acres |
| 9 S        | 21 E | WM  | 15  | SW SE | 1.3   |
| 9 S        | 21 E | WM  | 21  | SE SE | 2.0   |
| 9 S        | 21 E | WM  | 22  | NE NW | 1.6   |
| 9 S        | 21 E | WM  | 22  | NW NW | 0.3   |
| 9 S        | 21 E | WM  | 27  | NW NW | 3.8   |
| 9 S        | 21 E | WM  | 27  | NW SW | 1.4   |
| 9 S        | 21 E | WM  | 27  | SW SW | 0.7   |
| 9 S        | 21 E | WM  | 28  | NE NE | 0.2   |
| 9 S        | 21 E | WM  | 28  | SE NE | 0.7   |

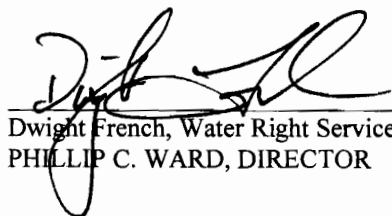
| SUPPLEMENTAL IRRIGATION |      |     |     |       |       |
|-------------------------|------|-----|-----|-------|-------|
| Twp                     | Rng  | Mer | Sec | Q - Q | Acres |
| 9 S                     | 21 E | WM  | 10  | NE SE | 2.2   |
| 9 S                     | 21 E | WM  | 10  | SE SE | 3.2   |
| 9 S                     | 21 E | WM  | 11  | NW SW | 8.8   |
| 9 S                     | 21 E | WM  | 11  | SW SW | 0.3   |
| 9 S                     | 21 E | WM  | 15  | NE NE | 5.0   |
| 9 S                     | 21 E | WM  | 15  | SE NE | 7.5   |
| 9 S                     | 21 E | WM  | 15  | SE SW | 10.0  |
| 9 S                     | 21 E | WM  | 15  | NE SE | 7.3   |
| 9 S                     | 21 E | WM  | 15  | NW SE | 10.8  |
| 9 S                     | 21 E | WM  | 15  | SW SE | 20.6  |
| 9 S                     | 21 E | WM  | 22  | NW NE | 4.3   |
| 9 S                     | 21 E | WM  | 22  | NE NW | 13.4  |
| 9 S                     | 21 E | WM  | 22  | NW NW | 2.2   |
| 9 S                     | 21 E | WM  | 22  | SW SW | 19.4  |
| 9 S                     | 21 E | WM  | 27  | NW NW | 0.4   |
| 9 S                     | 21 E | WM  | 27  | SW NW | 17.2  |
| 9 S                     | 21 E | WM  | 27  | NW SW | 22.4  |
| 9 S                     | 21 E | WM  | 27  | SW SW | 2.5   |
| 9 S                     | 21 E | WM  | 28  | SE NE | 2.8   |
| 9 S                     | 21 E | WM  | 28  | NE SE | 0.5   |

This certificate describes that portion of the water right confirmed by Certificate 36701, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered Aug 21 2012, approving Transfer Application T-10971.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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.

WITNESS the signature of the Water Resources Director, affixed Aug 21 2012.



Dwight French, Water Right Services Administrator, for  
PHILLIP C. WARD, DIRECTOR