

STATE OF OREGON  
COUNTY OF UNION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MIDNIGHT SUN, INC.  
STEVE GALLOWAY  
PO BOX 53  
NAMPA, ID 83653

confirms the right to use the waters of INDIAN CREEK, tributary to the GRANDE RONDE RIVER for IRRIGATION of 14.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Union County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 8, at Page 1. The date of priority is 1869.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
1 N	39 E	WM	26	SE NW	2170 FEET SOUTH AND 2000 FEET EAST FROM THE NW CORNER OF SECTION 26.

The amount of water used for irrigation 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 3.0 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. 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.

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
1 N	39 E	WM	26	SW NW	7.0
1 N	39 E	WM	26	SE NW	7.0

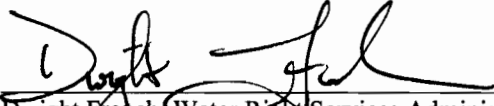
The water user shall maintain an in-line flow meter, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department.

The water user shall operate and maintain an approved fish screen at the point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 8 2013, approving Transfer Application T-11447, and together with Certificate 88287, supersedes Certificate 6371, State Record of Water Right Certificates.

This is a final 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 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.

WITNESS the signature of the Water Resources Director, affixed May 9 2013, 2013.



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