

STATE OF OREGON
COUNTY OF BENTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PATRICK M. MALONE
24048 MAXFIELD CREEK ROAD
PHILOMATH, OREGON 97370

confirms the right to use the waters of MAXFIELD CREEK AND A RESERVOIR CONSTRUCTED UNDER PERMIT R-7929, tributaries of LUCKIAMUTE RIVER, for the purpose of IRRIGATING 18.4 ACRES.

The right has been perfected under Permit 44383. The date of priority is MAY 7, 1979. The right is limited to not more than 0.18 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 NE 1/4, NW 1/4 NE 1/4, BOTH AS PROJECTED WITHIN DLC 43, SECTION 21, T 10 S, R 6 W, W.M.; CREEK - 200 FEET SOUTH AND 700 FEET WEST, RESERVOIR - 350 FEET SOUTH AND 900 FEET WEST BOTH FROM NE CORNER DLC 43.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre from direct flow, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage.

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NE 1/4 NE 1/4 3.2 ACRES
NW 1/4 NE 1/4 5.6 ACRES
SE 1/4 NE 1/4 0.4 ACRE
NE 1/4 NW 1/4 9.2 ACRES
ALL AS PROJECTED WITHIN DLC 43
SECTION 21
TOWNSHIP 10 SOUTH, RANGE 6 WEST, W.M.

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. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date AUGUST 7, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 62024

58627.TMW