

STATE OF OREGON  
COUNTY OF POLK  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WINTER CREEK, INC.  
3530 SW TAKENA  
ALBANY, OREGON 97321

confirms the right to use the waters of WINTER CREEK AND WINTER CREEK, INC. RESERVOIR CONSTRUCTED UNDER PERMIT R-1777, a tributary of SOAP CREEK, for the purpose of IRRIGATING 13.0 ACRES AND FOR WILDLIFE ATTRACTION.

The right has been perfected under Permit 43819. The date of priority is NOVEMBER 28, 1978. The right is limited to not more than 0.66 CUBIC FOOT PER SECOND; BEING 0.16 CFS FOR IRRIGATION AND 0.5 CFS FOR WILDLIFE ATTRACTION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NE 1/4, AS PROJECTED WITHIN DLC 42, SECTION 12, T 10 S, R 5 W, W.M.; 700 FEET SOUTH AND 3500 FEET EAST FROM THE NW CORNER OF SECTION 12.

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, or its equivalent for each acre irrigated from direct flow 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 confirmed herein for wildlife attraction shall be subordinate and inferior to all future rights for beneficial consumptive uses.

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 0.7 ACRE  
NW 1/4 NE 1/4 11.9 ACRES & WILDLIFE  
NE 1/4 NW 1/4 0.4 ACRE  
ALL AS PROJECTED WITHIN DLC 42  
SECTION 12  
TOWNSHIP 10 SOUTH, RANGE 5 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 31, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 62243

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