

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 SOAP CREEK, a tributary of LUCKIAMUTE RIVER, for the purpose of SUPPLEMENTAL IRRIGATION OF 13.0 ACRES AND FOR SUPPLEMENTAL WILDLIFE ATTRACTION.

The right has been perfected under Permit 44522. The date of priority is AUGUST 27, 1979. 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:

NE 1/4 NW 1/4, AS PROJECTED WITHIN DLC 42, SECTION 12, T 10 S, R 5 W, W.M.; 50 FEET SOUTH AND 2500 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 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. The right shall be limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

The right confirmed herein for supplemental 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 62244

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