

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WINTER CREEK, INC.
3530 S.W. TAKENA
ALBANY, OREGON 97321

confirms the right to use the waters of WINTER CREEK AND WINTER CREEK, INC. RESERVOIR CONSTRUCTED UNDER PERMIT R-7777, 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, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre (or its equivalent) from direct flow and 2.5 acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage. The right for wildlife attraction is 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 ACRES
ALL AS PROJECTED WITHIN DLC 42
SECTION 12
TOWNSHIP 10 SOUTH, RANGE 5 WEST, W.M.

This certificate is issued to correctly describe the source of water and supercedes certificate 62243, State Record of Water Right Certificates.

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 MARCH 12, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 64157
58125.DM