

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MUDDY CREEKS IRRIGATION PROJECT
32255 BOWERS DRIVE
HARRISBURG, OREGON 97446

confirms the right to use the waters of MCKENZIE RIVER, a tributary of WILLAMETTE RIVER, for IRRIGATION OF 17.4 ACRES.

This right was perfected under Permit 50921. The date of priority is AUGUST 13, 1986. This right is limited to 0.20 CUBIC FOOT PER SECOND 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 NE 1/4, SECTION 9, TOWNSHIP 17 SOUTH, RANGE 3 WEST, WM;
4440 FEET SOUTH AND 5250 FEET EAST FROM THE SOUTHEAST CORNER DLC 79.

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

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

SE 1/4 SW 1/4 0.1 ACRE
AS PROJECTED WITHIN DLC 60
SE 1/4 SW 1/4 7.0 ACRES
AS PROJECTED WITHIN DLC 45
SW 1/4 SE 1/4 3.5 ACRES
AS PROJECTED WITHIN DLC 60
SW 1/4 SE 1/4 2.8 ACRES
AS PROJECTED WITHIN DLC 45
SECTION 33
TOWNSHIP 16 SOUTH, RANGE 3 WEST, WM

NW 1/4 NE 1/4 0.9 ACRE
NE 1/4 NW 1/4 3.1 ACRES
BOTH AS PROJECTED WITHIN DLC 38
SECTION 4
TOWNSHIP 17 SOUTH, RANGE 3 WEST, WM

When required by the Department, the water user shall install and maintain an in-line flow meter, weir or other suitable device for measuring and recording the quantity of water diverted.

Diversion screening or fish passage facilities shall be maintained and operated to Oregon Department of Fish and Wildlife's specifications.

Recorded in State Record of Water Right Certificates numbered 68499.

A scrivener's error was made in the preparation of proof of appropriation under Permit 50921 which resulted in the omission of the lands described by this right. This certificate, along with Certificate 68365, is issued to confirm the use of water under permit 50921.

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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed June 15, 1995.

/s/ MARTHA O. PAGEL

Martha O. Pagel