

STATE OF OREGON  
COUNTY OF WHEELER  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM SMITH PROPERTIES, INC.  
15 SW COLORADO AVENUE  
BEND, OREGON 97702

confirms the right to use the waters of BEAR CREEK, a tributary of BRIDGE CREEK, AND MITCHELL RANCH RESERVOIR, CONSTRUCTED UNDER PERMIT R-7015, for IRRIGATION OF 251.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 293.1 ACRES .

This right was perfected under Permit 42833. The date of priority is MARCH 8, 1978. This right is limited to 13.61 CUBIC FEET 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:

BEAR CREEK - SW 1/4 NE 1/4, SECTION 35, T 10 S, R 20 E, W.M.; 2550 FEET SOUTH AND 2600 FEET WEST FROM THE NE CORNER OF SECTION 35.

DAM - NE 1/4 SW 1/4, SECTION 25, T 10 S, R 20 E, W.M.; 1620 FEET NORTH AND 240 FEET WEST FROM THE S 1/4 CORNER OF SECTION 25.

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-FORTIETH of one cubic foot per second (or its equivalent) and 4.0 acre-feet for each acre irrigated during the irrigation season of each year FROM DIRECT FLOW AND STORAGE FROM RESERVOIR TO BE CONSTRUCTED UNDER APPLICATION NO. R-57142, PERMIT NO. R-7015, PROVIDED FURTHER THAT THE RIGHT ALLOWED HEREIN SHALL BE LIMITED TO ANY DEFICIENCY IN THE AVAILABLE SUPPLY OF ANY PRIOR RIGHT EXISTING FOR THE SAME LAND AND SHALL NOT EXCEED THE LIMITATION ALL.

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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 SW 1/4	7.3 ACRES	1.7 ACRES
SE 1/4 SW 1/4	15.8 ACRES	13.2 ACRES
SECTION 24		
NW 1/4 NE 1/4	1.1 ACRES	4.0 ACRES
SW 1/4 NE 1/4	18.3 ACRES	10.6 ACRES
SE 1/4 NE 1/4	2.5 ACRES	5.1 ACRES
NE 1/4 NW 1/4	12.2 ACRES	13.5 ACRES
NW 1/4 NW 1/4	8.3 ACRES	13.0 ACRES
SW 1/4 NW 1/4	7.8 ACRES	3.8 ACRES
SE 1/4 NW 1/4	7.9 ACRES	13.3 ACRES
NE 1/4 SW 1/4	1.8 ACRES	3.4 ACRES
NE 1/4 SE 1/4	20.8 ACRES	14.6 ACRES
NW 1/4 SE 1/4	3.8 ACRES	25.8 ACRES
SW 1/4 SE 1/4	1.6 ACRES	3.8 ACRES
SE 1/4 SE 1/4	5.9 ACRES	22.3 ACRES
SECTION 25		
TOWNSHIP 10 SOUTH, RANGE 20 EAST, W.M.		

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	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4	0.1 ACRE	0.2 ACRE
SECTION 36		
TOWNSHIP 10 SOUTH, RANGE 20 EAST, W.M.		
NW 1/4 SW 1/4	4.4 ACRES	
SW 1/4 SW 1/4	7.1 ACRES	7.3 ACRES
SE 1/4 SW 1/4		0.3 ACRE
SECTION 30		
TOWNSHIP 10 SOUTH, RANGE 21 EAST, W.M.		
NW 1/4 NE 1/4	1.3 ACRES	
SW 1/4 NE 1/4	6.1 ACRES	11.0 ACRES
NE 1/4 NW 1/4	13.6 ACRES	3.4 ACRES
NW 1/4 NW 1/4	7.1 ACRES	9.5 ACRES
SE 1/4 NW 1/4	15.0 ACRES	
NE 1/4 SW 1/4	0.4 ACRE	
NW 1/4 SE 1/4	1.0 ACRE	22.8 ACRES
SW 1/4 SE 1/4	0.8 ACRE	0.1 ACRE
SE 1/4 SE 1/4	6.4 ACRES	9.4 ACRES
SECTION 31		
TOWNSHIP 10 SOUTH, RANGE 21 EAST, W.M.		
NW 1/4 NW 1/4	8.4 ACRES	3.0 ACRES
SW 1/4 NW 1/4	5.7 ACRES	9.6 ACRES
SE 1/4 NW 1/4	6.2 ACRES	2.9 ACRES
NE 1/4 SW 1/4	9.7 ACRES	20.8 ACRES
NW 1/4 SW 1/4	0.3 ACRE	4.7 ACRES
SE 1/4 SW 1/4		0.2 ACRE
NW 1/4 SE 1/4	10.2 ACRES	0.2 ACRES
SW 1/4 SE 1/4	8.1 ACRES	12.9 ACRES
SE 1/4 SE 1/4	8.3 ACRES	4.4 ACRES
SECTION 5		
NE 1/4 NE 1/4	2.2 ACRES	5.8 ACRES
SECTION 6		
NE 1/4 NE 1/4	5.2 ACRES	5.5 ACRES
SECTION 8		
NW 1/4 NW 1/4	8.7 ACRES	
SECTION 9		
TOWNSHIP 11 SOUTH, RANGE 21 EAST, 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 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 AUGUST 14, 1995.

MARTHA O. PAGEL

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Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68552.