

STATE OF OREGON  
COUNTY OF WASCO  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAYL ANN'S CHERRY LANE, INC.  
JOHN W. PHILLIPS, V.P.  
660 CARROL ROAD  
MOSIER, OREGON 97040

confirms the right to use the waters of MOSIER CREEK, a tributary of COLUMBIA RIVER, for FROST PROTECTION ON 19.5 ACRES.

This right was perfected under Permit 50444. The date of priority is JANUARY 7, 1988. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.89 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 12, T 2 N, R 11 E, W.M.; 1290 FEET WEST AND 820 FEET SOUTH OF THE NE CORNER OF SECTION 12.

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:

NE 1/4 NE 1/4 14.4 ACRES  
NW 1/4 NE 1/4 0.1 ACRE  
SECTION 12  
TOWNSHIP 2 NORTH, RANGE 11 EAST, W.M.

NW 1/4 NW 1/4 5.0 ACRES  
SECTION 7  
TOWNSHIP 2 NORTH, RANGE 12 EAST, W.M.

The pump intake must be screened to meet Oregon Department of Fish and Wildlife's fish screening criteria and in order to be in compliance with ORS 498.248.

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 7, 1996.

15\ Steven P. Applegate

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72358.