

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DICKMAN FARMS, INC.
15829 MT. ANGEL-SCOTTS MILLS HWY NE
SILVERTON, OREGON 97381

CANCELED

confirms the right to use the waters of BUTTE CREEK, a tributary of THE PUDDING RIVER, for IRRIGATION OF 33.7 ACRES.

This right was perfected under Permit 47801. The date of priority is MAY 26, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.21 CUBIC FOOT PER SECOND FROM BUTTE CREEK, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original point of diversion.

The points of diversion are located as follows:

ORIGINAL POD - NE 1/4 NW 1/4, AS PROJECTED WITHIN DLC 41, SECTION 8, T 6 S, R 1 E, W.M.; 1130 FEET SOUTH AND 100 FEET WEST FROM THE N 1/4 CORNER OF SECTION 8.

ADDITIONAL POD - NE 1/4 NW 1/4, AS PROJECTED WITHIN DLC 41, SECTION 8, T 6 S, R 1 E, W.M.; 640 FEET SOUTH AND 2250 FEET EAST FROM THE NW CORNER OF SECTION 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 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:

| | |
|---------------|------------|
| NW 1/4 NE 1/4 | 1.0 ACRE |
| NW 1/4 NW 1/4 | 0.1 ACRE |
| SW 1/4 NW 1/4 | 27.4 ACRES |
| SE 1/4 NW 1/4 | 0.2 ACRE |
| NW 1/4 SW 1/4 | 5.0 ACRES |

ALL AS PROJECTED WITHIN DLC 41
SECTION 8
TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.

When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

SEE NEXT PAGE

T-6360B.DSM

CANCELED

This certificate is issued to confirm a change in PLACE OF USE AND USE OF AN ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered JANUARY 7, 1991, and together with Certificate 65143, supersedes Certificate 62396, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 JULY 8, 1996.

CANCELED

15/ Steven P. Applegate
Martha O. Pagel

Superseded by
Cert. No. 341652

Canceled Sp. Or. Vol. 51 p. 633

Recorded in State Record of Water Right Certificates numbered 72414.