

STATE OF OREGON
COUNTY OF HOOD RIVER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO:

PHEASANT VALLEY ORCHARDS
3890 ACREE DRIVE
HOOD RIVER, OR 97031

BLM, INC.
1839 ORCHARD ROAD
HOOD RIVER, OR 97031

CRAIG MCCURDY
2126 TUCKER ROAD
HOOD RIVER, OR 97031

confirms the right to use the waters of AN UNNAMED SPRING AND SEEPAGE WATER, a tributary of HOOD RIVER, for SUPPLEMENTAL IRRIGATION OF 14.75 ACRES.

This right was perfected under PERMIT 5544. The date of priority is JULY 24, 1922. The amount of water to which such right is entitled and hereby confirmed, for the purpose aforesaid, is limited to an amount actually beneficially used for said purpose and shall not exceed 0.18 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:

NW¼ NE¼, SECTION 15, T. 2 N., R 10 E., W. M., BEING 771 FEET SOUTH AND 1476 FEET WEST FROM THE NE CORNER OF SECTION 15.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of ONE-EIGHTIETH of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated, and 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:

SW¼ NE¼ 7.6 ACRES
NW¼ NE¼ 12.75 ACRES
SECTION 15
TOWNSHIP 2 NORTH, RANGE 10 EAST, W.M.

This certificate is issued to correctly describe the place of use and quantity of water of the water right confirmed by the prior certificate recorded at Page 74329, State Record of Water Right Certificates and supersedes Certificate 74329.

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 and is subject to all other conditions and limitations contained in said permit. This right is limited to the appropriation of water from an unnamed spring and seepage water for irrigation purposes, and is also limited to the water available at the point of diversion and does not carry with it the right to divert water from the stream from which the waste water is diverted, nor the right to require the wasteful use of water by others.

WITNESS the signature of the Water Resources Director, affixed NOV 26 1997

/s/ MARTHA O. PAGEL

Martha O. Pagel, Director