

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 the MCKENZIE RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 634.6 ACRES.

This right was perfected under Permit 42759. The date of priority is MARCH 1, 1978. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 7.93 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:

NE¼ NE¼, as projected within SPORES DLC 38, SECTION 9, T 17 S, R 3 W, WM; 4440 FEET SOUTH AND 5250 FEET EAST FROM THE SE CORNER, MANSFIELD 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 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 2½ acre-feet 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:

| | | | |
|----------------------------------|------------|----------------------------------|------------|
| SE¼ SW¼ | 7.9 ACRES | NW¼ NE¼ | 9.9 ACRES |
| as projected within DLC 48 | | NE¼ NW¼ | 12.9 ACRES |
| SE¼ SW¼ | 18.8 ACRES | both as projected within DLC 47 | |
| as projected within DLC 47 | | SECTION 29 | |
| NE¼ SE¼ | 4.9 ACRES | TOWNSHIP 12 SOUTH, RANGE 4 WEST, | |
| as projected within DLC 60 | | W.M. | |
| NW¼ SE¼ | 1.4 ACRES | | |
| as projected within DLC 48 | | NE¼ SW¼ | 0.2 ACRE |
| NE¼ SE¼ | 0.9 ACRE | NW¼ SW¼ | 0.6 ACRE |
| SW¼ SE¼ | 29.6 ACRES | SW¼ SW¼ | 30.8 ACRES |
| both as projected within DLC 47 | | SE¼ SW¼ | 29.3 ACRES |
| SW¼ SE¼ | 8.8 ACRES | NW¼ SE¼ | 0.5 ACRES |
| as projected within DLC 48 | | SW¼ SE¼ | 34.8 ACRES |
| SW¼ SE¼ | 0.3 ACRE | SE¼ SE¼ | 23.3 ACRES |
| SE¼ SE¼ | 6.2 ACRES | SECTION 2 | |
| both as projected within DLC 60 | | | |
| SECTION 20 | | SE¼ SE¼ | 2.7 ACRES |
| | | SECTION 3 | |
| NE¼ NW¼ | 27.0 ACRES | | |
| NW¼ NW¼ | 3.5 ACRES | NE¼ NE¼ | 2.5 ACRES |
| *NW¼ SW¼ | 1.9 ACRES | SE¼ NE¼ | 17.6 ACRES |
| *SW¼ SW¼ | 6.7 ACRES | SECTION 10 | |
| *both as projected within DLC 60 | | | |
| SECTION 21 | | NW¼ NE¼ | 21.3 ACRES |
| | | NE¼ NW¼ | 27.5 ACRES |
| | | NW¼ NW¼ | 36.1 ACRES |
| | | SW¼ NW¼ | 0.8 ACRE |
| | | SE¼ NW¼ | 6.0 ACRES |
| | | SECTION 11 | |

SE¼ NE¼ 0.5 ACRE
 SE¼ SW¼ 4.6 ACRES
 NE¼ SE¼ 37.8 ACRES
 NW¼ SE¼ 19.1 ACRES
 SW¼ SE¼ 30.5 ACRES
 SE¼ SE¼ 21.8 ACRES
 SECTION 23

SW¼ SW¼ 11.1 ACRES
 as projected within DLC 63
 SECTION 22

NW¼ NW¼ 28.0 ACRES
 SW¼ NW¼ 8.8 ACRES
 both as projected within DLC 63
 SECTION 27

NW¼ NE¼ 1.2 ACRES
 NE¼ NW¼ 0.1 ACRE
 SECTION 26

TOWNSHIP 14 SOUTH, RANGE 4 WEST,
 W.M.

NE¼ NE¼ 40.0 ACRES
 NW¼ NE¼ 14.9 ACRES
 SW¼ NE¼ 6.2 ACRES
 SE¼ NE¼ 14.8 ACRES

all as projected within DLC 63
 SECTION 28
 TOWNSHIP 16 SOUTH, RANGE 3 WEST,
 W.M.

SW¼ SE¼ 6.2 ACRES
 SE¼ SE¼ 14.3 ACRES
 both as projected within DLC 63
 SECTION 21

This certificate describes that portion of the water right confirmed by Certificate 68367, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 20 1997, approving Transfer Application 7127.

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 OCT 20 1997.

By Martha O. Pagel

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75227.

T-7127.LHN

Canceled Sp.Or.Vol. 51 P. 1282