

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN KIRSCH
ROUTE 2
MCMINNVILLE, OREGON 97128

confirms the right to use the waters of the NORTH YAMHILL RIVER, a tributary of the YAMHILL RIVER, for IRRIGATION OF 26.4 ACRES.

This right was perfected under Permit 13491. The date of priority is FEBRUARY 21, 1939. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.33 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:

NW $\frac{1}{4}$ SW $\frac{1}{4}$ AND SW $\frac{1}{4}$ NW $\frac{1}{4}$, AS PROJECTED WITHIN CHAS. S. TUSTIN
DLC 45, SECTION 3, T 4 S, R 4 W, W.M., AND LOTS 1 AND 2, SECTION 4,
T 4 S, R 4 W, W.M.

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 $\frac{1}{2}$ 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:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.3 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 7.8 ACRES
BOTH AS PROJECTED WITHIN DLC 79
SECTION 33

TOWNSHIP 3 SOUTH, RANGE 4 WEST, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.2 ACRES
AS PROJECTED WITHIN DLC 85
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.5 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.0 ACRE
BOTH AS PROJECTED WITHIN DLC 45
SECTION 3

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.5 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.1 ACRES
BOTH AS PROJECTED WITHIN DLC 85
SECTION 4

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

This certificate describes that portion of the water right confirmed by Certificate 15108, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APR 21 1999, approving Transfer Application 7769.

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.

WITNESS the signature of the Water Resources

Director, affixed APR 21 1999.

/s/ Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76109.

T-7769.PKS