

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GOSCHIE FARMS, INC.  
7365 MERIDIAN RD. NE  
SILVERTON, OREGON 97381-9741

confirms the right to use the waters of ABIQUA CREEK, a tributary of PUDDING RIVER, for IRRIGATION.

This right was perfected under Permit 15913. The date of priority is AUGUST 5, 1944. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.31 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SW 1/4 SW 1/4, SECTION 19, TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.;  
4790 FEET SOUTH AND 720 FEET EAST, FROM THE NW CORNER OF SECTION 19; AND

SE 1/4 SW 1/4, SECTION 19, TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.;  
5090 FEET SOUTH AND 1580 FEET EAST, FROM THE NW CORNER OF SECTION 19.

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 1/2 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:

SE 1/4 NE 1/4 9.5 ACRES  
NE 1/4 SE 1/4 15.0 ACRES  
SECTION 24  
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

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 lawfully available at the original point of diversion.

The water user shall maintain a head gate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the head gate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

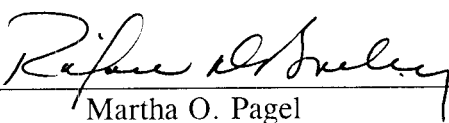
The water user shall maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 2, 1998, and supersedes Certificate 16724, 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 SEPTEMBER 16, 1999.

  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76288.