

STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DESCHUTES VALLEY FARMS, INC.  
PO BOX 166  
CULVER, OREGON 97734

confirms the right to use the waters of AN UNNAMED STREAM (McKENZIE CANYON), a tributary of THE DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION OF 149.8 ACRES.

This right was perfected under Permit 37392. The date of priority is OCTOBER 23, 1973. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.89 CUBIC FEET 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 $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 4, T. 14 S., R. 12 E., W.M.; 1870 feet north and 3700 feet east from the SW Corner of Section 4.

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-FORTIETH 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 4.0 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:

NE $\frac{1}{4}$  SW $\frac{1}{4}$  0.4 acre  
SE $\frac{1}{4}$  SW $\frac{1}{4}$  34.0 acres  
NW $\frac{1}{4}$  SE $\frac{1}{4}$  28.0 acres  
SW $\frac{1}{4}$  SE $\frac{1}{4}$  39.0 acres  
SECTION 8

NW $\frac{1}{4}$  NE $\frac{1}{4}$  13.6 acres  
NE $\frac{1}{4}$  NW $\frac{1}{4}$  34.8 acres  
SECTION 17

TOWNSHIP 14 SOUTH, RANGE 12 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 44283, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 11 2000, approving Transfer Application 6854.

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 JAN 11 2000.

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

Recorded in State Record of Water Right Certificates numbered 76372.

T-6854.BWB