

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DICKMAN FARMS, INC.
15829 MT. ANGEL HWY NE
SILVERTON, OREGON 97381

confirms the right to use the waters of BUTTE CREEK, a tributary of PUDDING RIVER, for IRRIGATION 16.1 ACRES.

This right was perfected under Permit 53120. The date of priority is JUNE 7, 1990. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.20 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:

SW 1/4 SE 1/4, SECTION 31, TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.;
1300 FEET NORTH AND 500 FEET EAST FROM THE S 1/4 CORNER OF SECTION 31.

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 SW 1/4	3.4 ACRES
SW 1/4 SE 1/4	11.8 ACRES
SE 1/4 SE 1/4	0.9 ACRE
SECTION 31	
TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.	

Measurement, recording and reporting conditions:

- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

In the event of a request for a change in point of diversion, an additional point of divers or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

The water user may be required to install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

Failure to comply with any of the provision of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

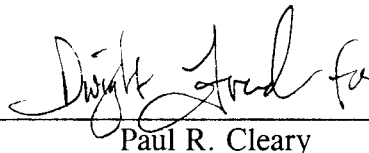
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

This certificate confirms a change in PLACE OF USE approved by an order of the Water Resources Director entered OCTOBER 26, 1999, approving Permit Amendment File No. T-8236.

The Director of the Water Resources Department finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

WITNESS the signature of the Water Resources Director, affixed JUNE 29, 2001.


Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 76984.