

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVE RODGERS  
26366 GAP ROAD  
BROWNSVILLE, OREGON 97327-9720

confirms the right to store the waters of AN UNNAMED STREAM, RAINFALL AND DIFFUSE SURFACE WATER, tributaries of COURTNEY CREEK, in AN UNNAMED RESERVOIR, for AGRICULTURAL USE (RICE PRODUCTION).

The right to store these waters was perfected under Reservoir Permit R-12224. The date of priority is JANUARY 16, 1997. The amount of water entitled to be stored each year under this right is not more than 6.46 acre-feet.

The reservoir is located as follows:

NE 1/4 SE 1/4  
NW 1/4 SE 1/4  
AS PROJECTED WITHIN DLC 52  
SECTION 12  
TOWNSHIP 14 SOUTH, RANGE 3 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. 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.

Use under this right is limited to the reservoir area. This right does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determine necessary by the Water Resources Director to satisfy prior downstream rights.

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.

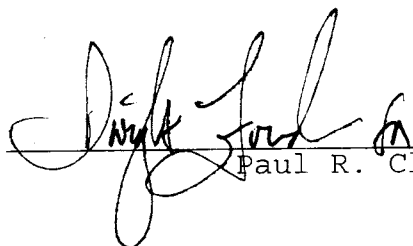
The right to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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 of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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 March 29, 2002.

  
Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79428.