

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Robert D. Harrison
Kathleen Louise Miller
66895 Gist Road
Bend, Oregon 97701-8129

Bruce E. and Phyllis M. Troyer
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Newport, Oregon 97365

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P.O. Box 746
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confirms the right to use the waters of Three Creek, Snow Creek and water stored under permit R-701 in Big Three Creek Lake Reservoir, tributaries of Squaw Creek, for the purpose of supplemental irrigation of 48.4 acres.

This right was perfected under Permit 12458. The date of priority is March 8, 1923 for Snow Creek and Three Creek and September 12, 1936 for Big Three Creek Lake Reservoir. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.968 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion is located as follows:

Three Creek - NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T 16 S, R 9 E, W.M.;
Snow Creek - NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, T 17 S, R 9 E, W.M.; and
Big Three Creek Lake Reservoir - SW $\frac{1}{4}$, Section 14, T 17 S, R 9 E, 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, and 2 $\frac{1}{2}$ acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage. This

right is limited to any deficiency in the available supply of any prior right existing for the same land. 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:

SW¼ SE¼ 23.5 ACRES
SE¼ SE¼ 19.4 ACRES
SECTION 36
TOWNSHIP 15 SOUTH, RANGE 10 EAST, W.M.

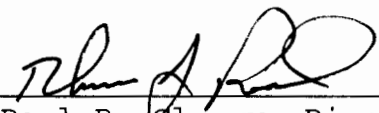
LOT 4 (SW¼ NW¼) 5.5 ACRES
SECTION 1
TOWNSHIP 16 SOUTH, RANGE 10 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 74524, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 05 2004, approving Transfer Application 9360.

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 FEB 05 2004.


For Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80604.