

STATE OF OREGON
COUNTY OF JEFFERSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Columbia Empire Farms Inc.
(R-2 Ranch)
31461 NE BELL ROAD
SHERWOOD OR 97140

confirms the right to use the waters of TROUT CREEK, a tributary of Deschutes River, for IRRIGATION of 60.91 acres, DOMESTIC, and STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jefferson County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at Page 57. The dates of priority are 1885 and 1886. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1.5 ACRE-FEET PER ACRE DURING ANY PERIOD OF 30 DAYS OR 6 ACRE-FEET PER IRRIGATION SEASON (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION AT THE HEALY AND COMPANY DITCHES) or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

DIVERSION POINT #2 - NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 3, TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M., 42 FEET SOUTH and 2232 FEET EAST of the NW CORNER of SECTION 3.

JOHNSON GALLERY - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 3, TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M., 2622 FEET SOUTH and 399 FEET EAST of the NW corner of SECTION 3.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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.

A description of the place of use to which this right is appurtenant is as follows:

LAND IRRIGATED FROM DIVERSION POINT #2 (1885 PRIORITY)

NW¹/₄ NW¹/₄ 12.58 ACRES

SW¹/₄ NW¹/₄ 5.15 ACRES

SECTION 3

NE¹/₄ NE¹/₄ 0.20 ACRES

SE¹/₄ NE¹/₄ 1.83 ACRES

SECTION 4

LAND IRRIGATED FROM JOHNSON GALLERY (1885 PRIORITY)

NW¹/₄ SW¹/₄ 6.95 ACRES

SECTION 3

LAND IRRIGATED FROM JOHNSON GALLERY (1886 PRIORITY)

SW¹/₄ NW¹/₄ 4.06 ACRES

SE¹/₄ NW¹/₄ 0.11 ACRES

NE¹/₄ SW¹/₄ 3.90 ACRES

NW¹/₄ SW¹/₄ 24.56 ACRES

SECTION 3

NE¹/₄ SE¹/₄ 1.57 ACRES

SECTION 4

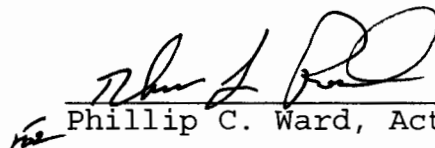
TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 79646, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 12 2004, approving Transfer Application 9188.

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 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 July 12, 2004.


Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80673.