

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PATRICK A OGLE
 RT 1 BOX 150 A
 INDEPENDENCE OR 97351

confirms the right to use the waters of the LUCKIAMUTE R, a tributary of the WILLAMETTE R, for IRRIGATION OF 182.9 ACRES.

This right was perfected under Permit S-35334. The date of priority is JUNE 11, 1971. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.38 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | GLot | DLC | Survey Coordinates |
|-----|-----|-----|-----|-------|------|-----|--|
| 9 S | 4 W | WM | 20 | NE SW | | 63 | 10 FEET NORTH AND 5680 FEET WEST FROM THE SE CORNER OF DLC 63. |

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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:

| IRRIGATION | | | | | | | |
|------------|-----|-----|-----|-------|------|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q | GLot | DLC | Acres |
| 9 S | 4 W | WM | 16 | SW SW | | 63 | 30.1 |
| 9 S | 4 W | WM | 16 | SE SW | | 63 | 3.6 |
| 9 S | 4 W | WM | 17 | SE SE | | 63 | 26.5 |
| 9 S | 4 W | WM | 20 | NE NE | | 63 | 18.4 |
| 9 S | 4 W | WM | 20 | SE NE | | 63 | 5.9 |
| 9 S | 4 W | WM | 20 | NE SE | | 63 | 6.1 |
| 9 S | 4 W | WM | 21 | NE NW | | 63 | 4.7 |
| 9 S | 4 W | WM | 21 | NW NW | | 63 | 19.6 |
| 9 S | 4 W | WM | 21 | SW NW | | 63 | 29.0 |
| 9 S | 4 W | WM | 21 | SE NW | | 63 | 9.7 |
| 9 S | 4 W | WM | 21 | NE SW | | 63 | 8.2 |
| 9 S | 4 W | WM | 21 | NW SW | | 63 | 21.1 |

This certificate describes that portion of the water right confirmed by Certificate 44996, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 26 2005, approving Transfer Application 8256.

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, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed MAY 26, 2005.


for Phillip C. Ward, Director