

DC

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BELLE PROVENANCE VINEYARD, LLC  
5657 ZENA ROAD  
SALEM, OREGON 97304-9722

confirms the right to use the waters of A SPRING, a tributary of UNNAMED STREAM, for IRRIGATION OF 1.1 ACRES, STOCK, COMMERCIAL SPRAYING, AND DOMESTIC USE FOR FOUR FAMILIES.

This right was perfected under Permit 47077. The date of priority is MAY 10, 1982. This right is limited to 0.0385 CUBIC FOOT PER SECOND; BEING 0.014 CFS FOR IRRIGATION, 0.005 CFS FOR STOCK, 0.0385 CFS FOR COMMERCIAL SPRAYING, AND 0.01 CFS FOR DOMESTIC USE FOR FOUR FAMILIES or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 23, TOWNSHIP 6 SOUTH, RANGE 4 WEST, W.M., 300 FEET NORTH AND 790 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 23.

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) and 2.5 acre-feet 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.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

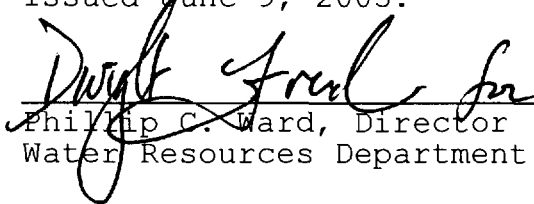
A description of the place of use to which this right is appurtenant is as follows:

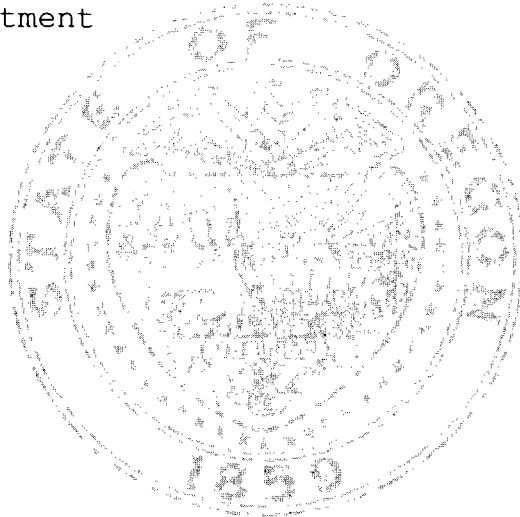
NW 1/4 NE 1/4		COMMERCIAL SPRAYING AND STOCK
SW 1/4 NE 1/4		COMMERCIAL SPRAYING
NE 1/4 NW 1/4		COMMERCIAL SPRAYING AND STOCK AND 3 FAMILIES
NE 1/4 NW 1/4	0.3 ACRE	IRRIGATION
NW 1/4 NW 1/4		COMMERCIAL SPRAYING
SE 1/4 NW 1/4		COMMERCIAL SPRAYING AND 1 FAMILY
SE 1/4 NW 1/4	0.8 ACRE	IRRIGATION

SECTION 26  
TOWNSHIP 6 SOUTH, RANGE 4 WEST, W.M.

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. 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.

Issued June 9, 2005.

  
Philip C. Ward, Director  
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81478.

63520.SB