

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DESCHUTES RIVER RANCH GROUP, LLC
20210 SWALLEY ROAD
BEND OR 97701

confirms the right to use the waters of DESCHUTES RIVER, tributary to COLUMBIA RIVER for DUST ABATEMENT AND RANCH OPERATIONS.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 9, at Page 362. The date of priority is SPRING of 1885.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.04 CUBIC FOOT PER SECOND (CFS) from APRIL 1 TO MAY 23 and from AUGUST 20 TO NOVEMBER 1, and 0.08 CFS from MAY 23 TO AUGUST 20, or its equivalent in case of rotation, measured at the points of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
16 S	12 E	WM	17	SE SW	POD 1: 84 FEET NORTH AND 847 FEET WEST FROM THE S1/4 CORNER OF SECTION 17

The amount of water used for DUST ABATEMENT AND RANCH OPERATIONS (not including irrigation and domestic uses) is limited to a diversion of not to exceed 12.52 acre-feet during the irrigation season of each year.

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

DUST ABATEMENT AND RANCH OPERATIONS FROM POD 1				
Twp	Rng	Mer	Sec	Q-Q
16 S	12 E	WM	17	SE SW
16 S	12 E	WM	17	SW SE
16 S	12 E	WM	17	SE SE
16 S	12 E	WM	20	NE NE
16 S	12 E	WM	20	NW NE
16 S	12 E	WM	20	NE NW

The right to the use of the water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

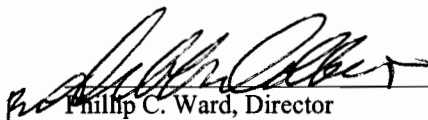
When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring devise must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The water user shall maintain a fish screen or fish by-pass device. The type of screen or by-pass device must be maintained to the approval of the Oregon Fish and Wildlife Department.

This certificate describes that portion of the water right confirmed by Certificate 83243, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 11 2007, approving Allocation of Conserved Water Application CW-43.

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.

WITNESS the signature of the Water Resources Director, affixed SEP 11 2007.


Phillip C. Ward, Director