

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.

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MILL CREEK LAND LLC
7900 NE MILL CREEK ROAD
PRINEVILLE, OREGON 97754

confirms the right to use the waters of MILL CREEK, a tributary of OCHOCO CREEK, for DOMESTIC AND STOCK USE, AND IRRIGATION OF 60:0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for CROOK County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 1, at Page 449. The date of priority is 1868.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed a reasonable amount for Domestic and Stock use, and 0.75 cubic foot per second for irrigation, the total quantity being limited to four acre feet per acre during each year, if available at the authorized point of diversion: JOHNSON LAWSON FREELAND DITCHES, 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 $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 22, TOWNSHIP 14 SOUTH, RANGE 17 EAST, W.M.;
1122 FEET NORTH AND 346 FEET WEST FROM THE NW CORNER, SECTION
26.

T-7509.RA (51178)

Certificate Number 83656

THE PLACE OF USE IS LOCATED AS FOLLOWS:

| | |
|-----------|------------|
| NW ¼ NW ¼ | 15.1 ACRES |
| SW ¼ NW ¼ | 37.2 ACRES |
| SE ¼ NW ¼ | 0.4 ACRE |
| NW ¼ SW ¼ | 7.3 ACRES |

SECTION 26

TOWNSHIP 14 SOUTH, RANGE 17 EAST, W.M.

The quantity of water diverted at the new points of diversion shall not exceed the quantity of water available at the old points of diversion.

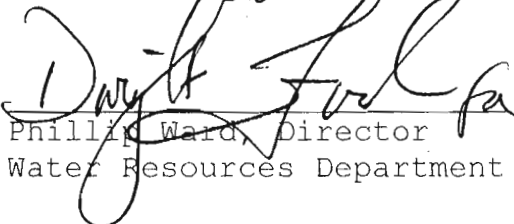
When required by the Department, the water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The types and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The water user shall install and maintain fish screens or fish by-pass devices on the diversion point. Fish screens or by-pass devices must be approved by the Oregon Department of Fish and Wildlife and installed under the general supervision of the Department of Fish and Wildlife.

This certificate is issued to confirm a change in PLACE OF USE AND POINTS OF DIVERSION approved by an order of the Water Resources Director entered MARCH 4, 1999, approving Transfer Application 7509, and supersedes Certificate 51178, State Record of Water Right Certificates.

The right to 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 all other conditions and limitations contained in the decree.

Issued NOV 23 2007.


Phillip Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificate Number 83656.

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