

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BUTLER RANCH, INC.  
5294 NW LONE PINE ROAD  
TERREBONNE, OREGON 97760

confirms the right to use the waters of the CROOKED RIVER, a tributary of the DESCHUTES RIVER for IRRIGATION of 11.0 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 1892.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.137 CUBIC FOOT PER SECOND if available at the original point of diversion: NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 8, T 15 S, R 16 E, W.M., 744.2 FEET SOUTH AND 321 FEET EAST FROM THE WEST  $\frac{1}{4}$  CORNER OF SECTION 8, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 20, T. 14 S., R. 14 E., W.M.;  
1896 feet South and 1717 feet East from the West  $\frac{1}{4}$  Corner of Section 20.

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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

1892  
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.

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

SW ¼ SW ¼ 11.0 ACRES  
SECTION 20  
TOWNSHIP 14 SOUTH, RANGE 14 EAST, W.M.

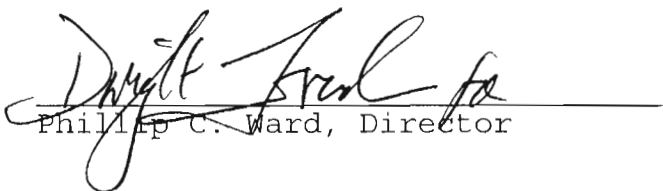
This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered July 9, 1997, approving Transfer Application T-7248, and together with certificates 72947, 74199, and 74200 supersedes Certificate 52183, State Record of Water Right Certificates.

The following conditions apply to this right:

1. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
2. 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 device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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 all other conditions and limitations contained in the decree.

Issued JAN 09 2008.

  
Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 83732.

T-7248.RA