

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KELLY FARMS, INC.
22111 RIVER ROAD NE
SAINT PAUL OR 97137

confirms the right to use the waters of AN UNNAMED STREAM AND RESERVOIR CONSTRUCTED UNDER APPLICATION NUMBER R-43600, PERMIT NUMBER R-4928, tributaries to the WILLAMETTE RIVER, for SUPPLEMENTAL IRRIGATION OF 281.3 ACRES.

This right was perfected under Permit S-32251. The date of priority is MAY 15, 1967. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.69 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
4 S	2 W	WM	7	NE NE	74	2250 FEET NORTH AND 940 FEET WEST FROM THE NE CORNER OF DLC 97
4 S	2 W	WM	7	NE NE	74	2250 FEET NORTH AND 820 FEET WEST FROM THE NE CORNER OF DLC 97

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow 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 from direct flow and storage from reservoir constructed under Permit number R-4928, 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, and 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:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	5	NW SW	74	0.1
4 S	2 W	WM	5	SW SW	74	36.8
4 S	2 W	WM	5	SE SW	74	20.0
4 S	2 W	WM	5	SW SE	74	0.9
4 S	2 W	WM	6	SE SE	74	18.9
4 S	2 W	WM	7	NE NE	74	12.9
4 S	2 W	WM	8	NE NE	74	3.0
4 S	2 W	WM	8	NW NE	74	30.4
4 S	2 W	WM	8	SW NE	66	27.8
4 S	2 W	WM	8	SE NE	66	4.1
4 S	2 W	WM	8	NE NW	74	38.7
4 S	2 W	WM	8	NE NW	66	0.4
4 S	2 W	WM	8	NW NW	74	36.2
4 S	2 W	WM	8	NW NW	66	1.4
4 S	2 W	WM	8	SW NW	66	12.1


SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	8	SE NW	66	32.6
4 S	2 W	WM	8	NE SW	66	3.0
4 S	2 W	WM	8	NW SE	66	2.0

This certificate describes that portion of the water right confirmed by Certificate 40585, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered December 19, 2008, approving Transfer Application 10618.

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.

WITNESS the signature of the Water Resources Director, affixed December 19, 2008.



Phillip C. Ward, Director

P