

STATE OF OREGON  
 COUNTY OF JEFFERSON  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KIM LUNDGREN  
 METOLIUS, LLC  
 PO BOX 100  
 CAMP SHERMAN OR 97730

confirms the right to use the waters of JACK CREEK, tributary to METOLIUS RIVER for IRRIGATION of 70.3 ACRES.

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 1885. The amount of water to which this right is entitled is limited to an amount actually used beneficially, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
ORIGINAL	12 S	9 E	WM	31	SE NE	170 FEET NORTH & 700 FEET WEST FROM THE E 1/4 CORNER, SECTION 31.
NEW	12 S	9 E	WM	34	NW NW	100 FEET SOUTH & 1500 FEET WEST FROM THE N1/4 CORNER, SECTION 34

The amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3 acre-feet per acre, measured at the point of diversion from the stream, which may be diverted at a rate not to exceed ONE-SIXTIETH of one cubic foot per second per acre during the irrigation season from May 1 to September 15.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
12 S	9 E	WM	34	NE NW			3.8
12 S	9 E	WM	34	NW NW			35.0
12 S	9 E	WM	34	SW NW			15.0
12 S	9 E	WM	34	SE NW			16.5

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 said decree.

**NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW**

This is an 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.

The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

The water user shall maintain a fish screen or by-pass device, as appropriate.

This certificate is issued to confirm AN ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered September 22, 2006, at Special Order Volume 70, Page 252, approving Transfer Application T-10032, and supercedes Certificate 13627, State record of Water Right Certificates.

Issued JAN 27 2009

  
Phillip C. Ward, Director