

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DUTCH PACIFIC PROPERTIES, INC.
P.O. BOX 3500, PMB 303
PO BOX 3500, SISTERS OR 97759

confirms the right to use the waters of a WELL in the WHYCHUS (FORMERLY KNOWN AS SQUAW) CREEK BASIN for IRRIGATION of 23 ACRES.

This right was perfected under Permit G-13492. The date of priority is MARCH 18, 1998. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.29 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 15 S | 10 E | WM | 4 | SE NW | 326 FEET NORTH AND 180 FEET WEST FROM THE C1/4 CORNER OF SECTION 4 |

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 per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|------|------|-----|-----|-------|-------|
| 15 S | 10 E | WM | 4 | SE NW | 23.0 |

Measurement, recording and reporting conditions:

- A. The water user shall maintain and operate the existing measurement device and shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

SUPERSEDED BY
CERT. NO. 92964

C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

Use of water under authority of this right may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be subsequently reduced.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The Director finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

This certificate describes that portion of the water right confirmed by Certificate 80808, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 15 2009, approving Transfer Application T-10761 and updates the name of the source basin to reflect an official name change from Squaw Creek to Whychus Creek.

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 15 2009.


Phillip C. Ward, Director

