

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MOUNT JEFFERSON FARMS INC.  
 PO BOX 12708  
 SALEM, OR 97309

confirms the right to use the waters of SMALLMAN CREEK, a tributary to the NORTH SANTIAM RIVER for IRRIGATION of 65.8 ACRES.

This right was perfected under Permit S-30830. The date of priority is AUGUST 27, 1965. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.82 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

| Twp  | Rng | Mer | Sec | Q-Q   | Measured Distances  |
|------|-----|-----|-----|-------|---|
| 10 S | 2 W | WM  | 3   | NW SE | 640 FEET SOUTH AND 910 FEET WEST FROM THE NW CORNER OF DLC 53 |

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 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 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:

| IRRIGATION |     |     |     |       |      |     |       |
|------------|-----|-----|-----|-------|------|-----|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | GLot | DLC | Acres |
| 10 S       | 2 W | WM  | 3   | SE NE | 3    |     | 1.8   |
| 10 S       | 2 W | WM  | 3   | NE SE | 3    |     | 11.7  |
| 10 S       | 2 W | WM  | 3   | NE SE |      | 54  | 11.8  |
| 10 S       | 2 W | WM  | 3   | NW SE | 4    |     | 9.4   |
| 10 S       | 2 W | WM  | 3   | NW SE |      | 54  | 6.1   |
| 10 S       | 2 W | WM  | 3   | SW SE | 4    |     | 1.7   |
| 10 S       | 2 W | WM  | 3   | SW SE |      | 54  | 20.0  |
| 10 S       | 2 W | WM  | 3   | SE SE |      | 54  | 1.3   |
| 10 S       | 2 W | WM  | 10  | NE NE |      | 54  | 0.1   |
| 10 S       | 2 W | WM  | 10  | NW NE |      | 54  | 1.9   |

This certificate describes that portion of the water right confirmed by Certificate 36903, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 18 2012, approving Transfer Application T-10117.

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 JAN 18 2012.

  
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Dwight French, Water Right Services Administrator, for  
PHILLIP C. WARD, DIRECTOR