

STATE OF OREGON

COUNTY OF WHEELER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAYSPRING PARTNERS LLC
 15350 SW SEQUOIA PARKWAY SUITE 250
 PORTLAND OR 97224

confirms the right to use the waters of ROCK CREEK, WEST BRANCH ROCK CREEK AND ROCK CREEK LAKE RESERVOIR for IRRIGATION of 34 ACRES and STORAGE in ROCK CREEK LAKE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Grant County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 15, at Page 461. The date of priority is 1899.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	24 E	WM	21	SE SE	POD A: 1620 FEET SOUTH AND 650 FEET WEST FROM E 1/4 CORNER OF SECTION 21
13 S	24 E	WM	22	SW NE	POD B: 140 FEET NORTH AND 2740 FEET EAST FROM W 1/4 CORNER OF SECTION 22
13 S	24 E	WM	27	SW NE	POD C: 1460 FEET SOUTH AND 1290 FEET EAST FROM N 1/4 CORNER OF SECTION 27

The amount of water to which this right is entitled, for purposes aforesaid, is limited to an amount actually beneficially used for said purpose, and shall not exceed 165 acre feet from West Branch Rock Creek for Storage in Rock Creek Lake Reservoir. Rock Creek and Rock Creek Lake: 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 cubic foot per second thereafter; further limited to one acre-foot per calendar month to June 1 and four acre-feet per acre during season April 1 to Sept. 30, measured at points of diversion.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
12 S	24 E	WM	36	NE NE		1.5
12 S	24 E	WM	36	NW NE		15.1
12 S	24 E	WM	36	SW NE		3.0
12 S	24 E	WM	36	SE NE		6.2
12 S	24 E	WM	36	NE SE		7.0
12 S	24 E	WM	36	NW SE		0.4
12 S	25 E	WM	31	NW SW	3	0.8

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

Area submerged for storage purposes.

Rock Creek Lake Reservoir				
Twp	Rng	Mer	Sec	Q-Q
13 S	24 E	WM	22	NW NW
13 S	24 E	WM	22	SW NW
13 S	24 E	WM	22	SE NW
13 S	24 E	WM	22	NE SW
13 S	24 E	WM	22	NW SW

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meters or other suitable measuring device approved by the Director 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.

Water use measurement conditions at Rock Creek Lake Reservoir:

- A. The water user shall maintain the measuring devices (i.e. Standard sharp crested weir or long throated ramp flume or Parshall flume and adjustable outlet valve) in good working order.
- B. The water user shall allow the Watermaster access to the devices; provided however, where any device is located within a private structure, the Watermaster shall request access upon reasonable notice.

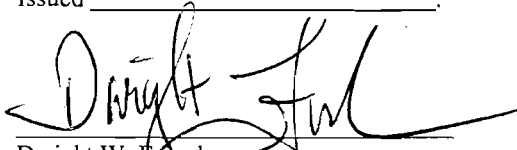
The water user shall maintain the headgate as required by the Department.

The water user shall maintain a complete record of water used each month and shall submit a report which includes the recorded water-use measurements to the District 4 Watermaster in Canyon City annually or more frequently as may be required by the Director. The water use reports shall include recorded monthly water-use measurements from each point of diversion. The reports also shall include dates of measurement and other information as may be requested by the Director. The frequency and timing of the reports may be modified upon determination of the director that an alternative frequency is needed or appropriate. The method of reporting may be by e-mail, facsimile or standard mail as agreed upon between the water user and Watermaster.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered April 20, 2012, at Special Order Volume 87, Page 193, approving Transfer Application 11137, and together with Certificate 87505, supersedes Certificate 25922, State Record of Water Right Certificates.

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.

Issued FEB 15 2013



Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director