

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SKI POND RANCH, LLC  
 c/o DAVID HERMAN  
 1628 NW EVERETT ST.  
 PORTLAND, OR 97209-2109

confirms the right to use the waters of WHYCHUS CREEK (formerly known as SQUAW CREEK), a tributary to the DESCHUTES RIVER for IRRIGATION of 34.1 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Crook County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 1 at Page 471. The date of priority is 1900.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.682 CUBIC FOOT PER SECOND (if available at the original point of diversion being within the NWSW, SECTION 9, TOWNSHIP 15 SOUTH, RANGE 10 EAST, W.M.; 910 FEET SOUTH AND 160 FEET EAST FROM THE W ¼ CORNER OF SECTION 9), 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
15 S	10 E	WM	21	SW SW	UNCLE JOHN DITCH: 140 FEET NORTH AND 1190 FEET EAST FROM SW CORNER, SECTION 21

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
15 S	10 E	WM	14	NE NE	1700	1.1
15 S	10 E	WM	14	NW NE	1700	6.3
15 S	10 E	WM	14	SW NE	1700	24.7
15 S	10 E	WM	14	SE NE	1700	2.0


This is a final 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 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.

This certificate describes that portion of the water right confirmed by Certificate 85393 State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 24 2015, approving Allocation of Conserved Water Application CW-71, and together with Certificates 89825 and 89838, supersedes Certificate 85393.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed FEB 24 2015.

  
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Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department