

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RABO AGRIFINANCE INC.
12443 OLIVE BLVD SUITE 50
ST. LOUIS, MO 63141

confirms the right to use the waters of WASTEWATER AND THREE RESERVOIRS, CONSTRUCTED UNDER APPLICATION R-80536, TRIBUTARIES OF BASKETT SLOUGH, for PRIMARY IRRIGATION OF 203.2 ACRES, SUPPLEMENTAL IRRIGATION OF 112.6 ACRES, AND DAIRY OPERATIONS. ALL USE IS FROM STORAGE OR WASTEWATER ONLY FROM DAIRY OPERATIONS. NO LIVE FLOW IS ALLOWED UNDER THE TERMS OF THIS RIGHT.

This right was perfected under Permit S-53034. The date of priority is JULY 20, 1995. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 6.68 CUBIC FEET PER SECOND (CFS) TOTAL FROM WASTEWATER FOR DAIRY OPERATIONS, BEING NOT MORE THAN 6.68 CFS FROM EITHER RESERVOIR A OR RESERVOIR B; AND 205.05 ACRE-FEET (AF) PER YEAR FROM STORED WATER FOR IRRIGATION, BEING 157.5 AF FROM RESERVOIR A, 1.55 AF FROM RESERVOIR B, AND 46.0 AF FROM RESERVOIR C or its equivalent in case of rotation, measured at the point of diversion.

The period of allowed use is YEAR ROUND FOR DAIRY OPERATION; MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	4 W	WM	29	NW SW	DIV. A - 1150 FEET NORTH AND 625 FEET EAST FROM NW CORNER, DLC 47
7 S	4 W	WM	29	NE SW	DIV. B - 1125 FEET NORTH AND 775 FEET EAST FROM NW CORNER, DLC 47
7 S	4 W	WM	29	NW SW	DIV. C - 550 FEET NORTH AND 200 FEET EAST FROM NW CORNER, DLC 47
7 S	4 W	WM	28	SW NW	DIV. D - 2400 FEET NORTH AND 300 FEET EAST FROM NE CORNER, DLC 47

The amount of water used for irrigation under this right, 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 (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR 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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	4 W	WM	28	NW NW	22.6
7 S	4 W	WM	28	SW NW	28.3
7 S	4 W	WM	29	NE NE	11.1
7 S	4 W	WM	29	NW NE	5.4
7 S	4 W	WM	29	SW NE	21.8
7 S	4 W	WM	29	SE NE	29.2
7 S	4 W	WM	29	NE NW	0.4
7 S	4 W	WM	29	SE NW	0.6
7 S	4 W	WM	29	NE SW	19.4
7 S	4 W	WM	29	SE SW	1.5
7 S	4 W	WM	29	NE SE	17.3
7 S	4 W	WM	29	NW SE	37.0
7 S	4 W	WM	29	SW SE	5.5
7 S	4 W	WM	29	SE SE	3.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	4 W	WM	29	NE NE	4.8
7 S	4 W	WM	29	NW NE	9.5
7 S	4 W	WM	29	SW NE	12.7
7 S	4 W	WM	29	SE NE	4.9
7 S	4 W	WM	29	NE NW	27.0
7 S	4 W	WM	29	NW NW	3.7
7 S	4 W	WM	29	SW NW	10.2
7 S	4 W	WM	29	SE NW	34.0
7 S	4 W	WM	29	NE SW	5.8

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- 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.

The water user shall maintain and operate diversion screening or fish passage facilities as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

The use may be restricted if the quality of the source stream, namely the Willamette River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flow.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

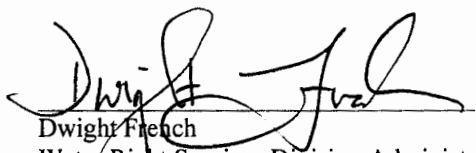
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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.

MAR 10 2017

Issued _____.



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