

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO:

APPLEGATE IRRIGATION CORPORATION
560 HAMILTON RD
JACKSONVILLE OR 97530

confirms the right to the use of water perfected under the terms of Permit S-54721. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-87646

SOURCE OF WATER: APPEL GATE RESERVOIR, CONSTRUCTED UNDER PERMIT R-7810

PURPOSE OR USE: IRRIGATION OF 270.19 ACRES

MAXIMUM VOLUME: 1419.0 ACRE FEET

DATE OF PRIORITY: AUGUST 11, 2010

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

Authorized Points of Re-Diversion:

Map(s)	POD	Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1	PUMP GROUP 2A & B	38 S	3 W	WM	33	NW SE	41	1680 FEET NORTH AND 2560 FEET WEST FROM SE CORNER, SECTION 33
2	PUMP GROUP 2A & B	38 S	3 W	WM	33	NW SE	41	1662 FEET NORTH AND 2621 FEET WEST FROM SE CORNER, SECTION 33
3 & 4	PUMP GROUP 3B	39 S	3 W	WM	4	NE NE		20 FEET SOUTH AND 1250 FEET WEST FROM NE CORNER, SECTION 4
5 & 6	PUMP GROUP 6B	39 S	3W	WM	3	NE SW		580 FEET SOUTH AND 1180 FEET WEST FROM C ¼ CORNER, SECTION 3
7, 8, 9, 10, 11, 12, 13, 14, and 15	PUMP GROUP 7B & C	39 S	3 W	WM	3	SE SW		230 FEET NORTH AND 480 FEET WEST FROM S ¼ CORNER, SECTION 3

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 FORTIETH of one cubic foot per second and 5.25 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.

Authorized Place of Use:

Map	Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	POD	T- #	Cert #
1	38 S	3 W	WM	33	SW NE	3		21.20	PUMP GROUP 2A & B	8936	85462
1	38 S	3 W	WM	33	SE NE	4		16.20	PUMP GROUP 2A & B	8936	85462
1	38 S	3 W	WM	33	SE NW	2		4.60	PUMP GROUP 2A & B	8936	85462
1	38 S	3 W	WM	33	NE SE			25.80	PUMP GROUP 2A & B	8936	85462
1	38 S	3 W	WM	33	NW SE	5		14.60	PUMP GROUP 2A & B	8936	85462
2	38 S	3 W	WM	33	NE SE			2.20	PUMP GROUP 2A & B	8937	85463
2	38 S	3 W	WM	33	NW SE	5		12.20	PUMP GROUP 2A & B	8937	85463
2	38 S	3 W	WM	33	SW SE			2.90	PUMP GROUP 2A & B	8937	85463
2	38 S	3 W	WM	33	SE SE			6.30	PUMP GROUP 2A & B	8937	85463
3	38 S	3 W	WM	33	NE SE			6.00	PUMP GROUP 3B	8942	81949
3	38 S	3 W	WM	33	SE SE			5.00	PUMP GROUP 3B	8942	81949
4	38 S	3 W	WM	33	SE SE			6.00	PUMP GROUP 3B	8945	81950
5	39 S	3 W	WM	3	NE SW			1.00	PUMP GROUP 6B	8958	85290
6	39 S	3 W	WM	3	NE SW			1.00	PUMP GROUP 6B	8960	81692
7	39 S	3 W	WM	3	NE SW			1.00	PUMP GROUP 7B & C	8959	85320
8	39 S	3 W	WM	3	NE SW			1.00	PUMP GROUP 7B & C	8961	85321
9	39 S	3 W	WM	3	NE SW			2.50	PUMP GROUP 7B & C	8962	81954
10	39 S	3 W	WM	10	NE NE			0.70	PUMP GROUP 7B & C	8964	85460
10	39 S	3 W	WM	10	SE NE			0.80	PUMP GROUP 7B & C	8964	85460
11	39 S	3 W	WM	11	SW NW		37	7.39	PUMP GROUP 7B & C	8966	85728
11	39 S	3 W	WM	11	SW NW	2		6.61	PUMP GROUP 7B & C	8966	85728
11	39 S	3 W	WM	11	NE SW		38	10.50	PUMP GROUP 7B & C	8966	85728
11	39 S	3 W	WM	11	NE SW	7		2.50	PUMP GROUP 7B & C	8966	85728
11	39 S	3 W	WM	11	NW SW	3		1.00	PUMP GROUP 7B & C	8966	85728
11	39 S	3 W	WM	11	NW SE		38	6.00	PUMP GROUP 7B & C	8966	85728
12	39 S	3 W	WM	11	NW NW		37	10.40	PUMP GROUP 7B & C	8971	85632
13	39 S	3 W	WM	3	NE SW			1.00	PUMP GROUP 7B & C	8974	85735
13	39 S	3 W	WM	3	NW SE			12.00	PUMP GROUP 7B & C	8974	85735
13	39 S	3 W	WM	3	SW SE			3.50	PUMP GROUP 7B & C	8974	85735
13	39 S	3 W	WM	3	NE SW			1.00	PUMP GROUP 7B & C	NA	NA
13	39 S	3 W	WM	3	NE SE			2.50	PUMP GROUP 7B & C	NA	NA
13	39 S	3 W	WM	3	NW SE			8.00	PUMP GROUP 7B & C	NA	NA
13	39 S	3 W	WM	3	SW SE			1.50	PUMP GROUP 7B & C	NA	NA
13	39 S	3 W	WM	3	SE SE			1.00	PUMP GROUP 7B & C	NA	NA
14	39 S	3 W	WM	3	NE SW			2.00	PUMP GROUP 7B & C	8974	85735
14	39 S	3 W	WM	3	NW SE			1.00	PUMP GROUP 7B & C	8974	85735
15	39 S	3 W	WM	2	SW SW			5.00	PUMP GROUP 7B & C	8975	85461
15	39 S	3 W	WM	3	SW SE			26.00	PUMP GROUP 7B & C	8975	85461
15	39 S	3 W	WM	3	SE SE			28.40	PUMP GROUP 7B & C	8975	85461
15	39 S	3 W	WM	10	NE NE			1.89	PUMP GROUP 7B & C	8975	85461

Measurement, recording and reporting conditions:

- A. The water user shall maintain a totalizing flow meter at each point of re-diversion and maintain the meter(s) in good working order.
- B. The water user shall allow the watermaster access to the meter(s); where a meter is located within a private structure, the watermaster shall request access upon reasonable notice.
- 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.

- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

The water user(s) shall maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the diversion, while by-pass devices provide adequate upstream and downstream passage for fish.

The use of water for irrigation allowed herein is for primary irrigation. The original primary rights associated with the place of use described herein have been transferred to instream use under time-limited instream transfer applications. During the life of this right (and subsequent certificate), use of water under Certificates 20566, 60701, 60702, and 60800 may be used as supplemental irrigation to the portions of this right to which they are appurtenant. However, if the time-limited instream transfer applications are terminated, or if this (or subsequent certificate) is not cancelled upon termination of the orders issued approving the time-limited instream transfers, the use of water under this right will become supplemental to the original primary and supplemental rights, and any other rights that have not been transferred to other lands. If this right (or subsequent certificate) becomes supplemental, the use authorized under this right is limited to any deficiency in the available supply of any prior rights existing for the same lands.

The use of water under this right is subject to the terms and conditions of contract No. 09XX101703, or a satisfactory replacement, between the Bureau of Reclamation and the permittee, a copy of which is on file in the records of the Water Resources Department.

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

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

This permit 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.

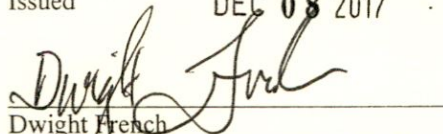
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 place of use described.

Issued

DEC 08 2017



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