

STATE OF OREGON  
 COUNTY OF YAMHILL  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

K.A. BERGER FARMS INC.  
 ATTN: REBECCA BERGER  
 PO BOX 1359  
 HILLSBORO, OR 97123

confirms the right to use the waters of DEER CREEK, a tributary of SOUTH YAMHILL RIVER for irrigation of 427.0 acres.

This right was perfected under Permit S-20147. The date of priority is MARCH 19, 1951. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.08 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
5 S	5 W	WM	22	SE NE	3	
5 S	5 W	WM	22	SE SW		51
5 S	5 W	WM	23	SW NW		
5 S	5 W	WM	27	NW NW		
5 S	5 W	WM	28	NW SE		

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 be still further limited to a diversion of not to exceed 1.08 cfs, 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							
Twps	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	5 W	WM	14	SW SW		43	6.00
5 S	5 W	WM	14	SE SW		43	1.10
5 S	5 W	WM	15	SE SE		43	2.90

This is a final order in other than a contested case. This order is subject to judicial review under ORS183.484. 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.



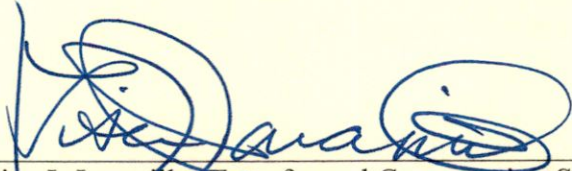
IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	5 W	WM	22	NE NE	4		1.20
5 S	5 W	WM	22	NE NE		49	16.00
5 S	5 W	WM	22	SW NE	6		10.00
5 S	5 W	WM	22	SE NE		49	9.30
5 S	5 W	WM	22	SE NE	3		20.90
5 S	5 W	WM	22	SE SW		51	0.40
5 S	5 W	WM	22	NE SE		49	16.00
5 S	5 W	WM	22	NE SE	2		24.00
5 S	5 W	WM	22	NW SE	7		20.00
5 S	5 W	WM	22	SW SE	8		26.60
5 S	5 W	WM	22	SE SE		49	9.50
5 S	5 W	WM	22	SE SE	1		30.50
5 S	5 W	WM	23	NE NW		49	1.00
5 S	5 W	WM	23	NW NW		49	34.80
5 S	5 W	WM	23	SW NW		49	7.20
5 S	5 W	WM	23	NW SW		49	25.90
5 S	5 W	WM	23	SW SW		49	14.40
5 S	5 W	WM	27	NE NE		73	39.70
5 S	5 W	WM	27	NW NE		73	37.60
5 S	5 W	WM	27	SW NE		73	13.50
5 S	5 W	WM	27	SE NE		73	13.10
5 S	5 W	WM	27	NE NW		73	32.90
5 S	5 W	WM	27	SE NW		73	12.50
TOTAL							427.0

This certificate describes that portion of water right Certificate 22691, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered **FEB 04 2021**, approving Transfer Application T-13448.

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 **FEB 04 2021** \_\_\_\_\_.

  
 Lisa J. Jaramilla, Transfer and Conservation Section Manager, for  
 THOMAS M BYLER, DIRECTOR  
 Oregon Water Resources Department