

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

ORCHARDS WATER COMPANY

of Brogan, State of Oregon 97903, has a right to the use of the waters of Willow Creek, stored in Reservoir No. 3, and Black Creek and Pole Creek, stored in Reservoir No. 1, of said company; also the direct flow thereof; a tributary of Malheur River for the purpose of irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Malheur County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 9, at page 211; that the priority of the right thereby confirmed dates from April 7, 1908 as to the waters of Willow Creek, and May 29, 1907 as to the waters of Black and Pole Creeks; that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed Two acre feet per acre during any irrigation season except as otherwise indicated in the following tabulation.

The point of diversion is located in the

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

Subdivision	Acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$	8.0
Section 13	
NW $\frac{1}{4}$ NW $\frac{1}{4}$	6.0
SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
NE $\frac{1}{2}$ NW $\frac{1}{2}$ SW $\frac{1}{2}$	10.0
Section 14	
NE $\frac{1}{2}$ NW $\frac{1}{2}$	10.0
S $\frac{1}{2}$ NW $\frac{1}{2}$ NW $\frac{1}{4}$	20.0 3.0 a.f. per acre
SW $\frac{1}{2}$ NW $\frac{1}{2}$	40.0 3.0 a.f. per acre
Section 23	
Townsite of Brogan	
Lot 1 Block 20	1.0
Lot 7 Block 41	1.0
Lot 3 Block 42	2.0
Lot 1 Block 43	1.0
Lots 3 & 4 Block 34	2.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
Section 24	
NW $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{4}$	1.0
NE $\frac{1}{2}$ NE $\frac{1}{2}$ NW $\frac{1}{4}$	2.0
S $\frac{1}{2}$ NE $\frac{1}{2}$ NW $\frac{1}{4}$	2.5
Section 25	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
S $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{4}$	20.0
NE $\frac{1}{2}$ SE $\frac{1}{2}$	40.0
NW $\frac{1}{4}$ SE $\frac{1}{2}$	40.0
N $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{4}$	20.0
Section 26	
NW $\frac{1}{2}$ NE $\frac{1}{4}$	33.0
SE $\frac{1}{2}$ NE $\frac{1}{2}$	10.5
NE $\frac{1}{2}$ NW $\frac{1}{2}$	19.0

<u>Subdivision</u>	<u>Acres</u>
NW $\frac{1}{4}$ NW $\frac{1}{4}$	20.0
SW $\frac{1}{4}$ NW $\frac{1}{4}$	5.0
SE $\frac{1}{4}$ NW $\frac{1}{4}$	7.5
Section 35	
T. 15 S., R. 42 E., W. M.	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
SE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
Section 19	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	3.2 *
W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	20.0
NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.9 *
SE $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$	12.1
Section 30	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	37.6
NW $\frac{1}{4}$ NE $\frac{1}{4}$	22.6
SW $\frac{1}{4}$ NE $\frac{1}{4}$	11.3
SE $\frac{1}{4}$ NE $\frac{1}{4}$	34.8
NE $\frac{1}{4}$ SE $\frac{1}{4}$	13.8
NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.3
Section 31	
N $\frac{1}{2}$ NW $\frac{1}{4}$	43.0
SW $\frac{1}{4}$ NW $\frac{1}{4}$	24.5 *
SE $\frac{1}{4}$ NW $\frac{1}{4}$	27.2 *
SW $\frac{1}{4}$ SE $\frac{1}{4}$	23.2 *
SE $\frac{1}{4}$ SE $\frac{1}{4}$	12.0 *
Section 32	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	10.0
Section 33	
T. 15 S., R. 43 E., W. M.	
SE $\frac{1}{4}$ SW $\frac{1}{4}$	4.4
Section 3	
NE $\frac{1}{4}$ NW $\frac{1}{4}$	6.1
NW $\frac{1}{4}$ NW $\frac{1}{4}$	38.5
NE $\frac{1}{4}$ SW $\frac{1}{4}$	20.0 *
NE $\frac{1}{4}$ SE $\frac{1}{4}$	20.4
NW $\frac{1}{4}$ SE $\frac{1}{4}$	37.6
SW $\frac{1}{4}$ SE $\frac{1}{4}$	14.4
SE $\frac{1}{4}$ SE $\frac{1}{4}$	19.6
Section 4	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	2.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$	7.0
Section 6	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	15.5
SW $\frac{1}{4}$ NE $\frac{1}{4}$	15.9
NE $\frac{1}{4}$ NW $\frac{1}{4}$	32.1
Section 10	
<u>Jamieson Acre Tracts</u>	
Lots 100-104	9.0
Tract 101	5.0
Lot 115	2.8
Section 15	
E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	11.0
NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	10.0
SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	10.0
NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	10.0
NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	10.0
SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	10.0
Section 26	
T. 16 S., R. 43 E., W. M.	

Said rights are prior to the remaining rights under "New Form" contracts for 580.5 acres of land described by said decree, but subsequent and inferior to the rights under "Old Form" contracts for 533.43 acres of land described by said decree.

Said rights are subject to all other conditions and limitations contained in said decree.

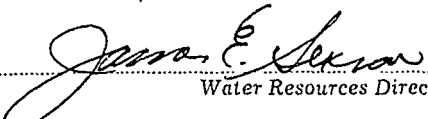
* These lands are also tabulated in part or in whole in the certificate recorded at page 45353. The quantity of water diverted under the rights tabulated herein together with the quantity diverted under any other water right shall not exceed 3.0 acre feet for each acre irrigated during any irrigation season.

This certificate is issued to confirm changes in place of use in water authorized by orders of the Water Resources Director recorded at Volume 1 Page 446, Volume 1 Page 518, Volume 3 Page 327, Volume 3 Page 342, Volume 3 Page 344, Volume 4 Page 33, Volume 4 Page 34, Volume 5 Page 406, Volume 5 Page 539, Volume 5 Page 557, Volume 6 Page 99 and Volume 7 Page 245, Special Order Record of the Water Resources Department and supersedes the certificate recorded at Volume 8 Page 8961, State Record of Water Right Certificates.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date April 12, 1978.


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 45354