

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

STEPHEN L. MURBIDE for ORCHARDS WATER COMPANY

of PO Box 92, Jamieson, State of Oregon 97909, 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 for Willow Creek, and May 29, 1907 for 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 2.0 acre-feet per acre during any irrigation season

The point of diversion is located in the East Side Ditch.

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

3.2 acres SE 1/4 SW 1/4 Section 3
15.4 acres NW 1/4 NE 1/4
16.7 acres SW 1/4 NE 1/4
27.9 acres NE 1/4 NW 1/4
4.7 acres SE 1/4 NW 1/4 Section 10
Township 16 South, Range 43 East, WM

Canceled So Or Vol 52 P 32

Superseded by Cert No 75333

Said rights are prior to the remaining rights under "New Form" contracts for 590.5 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.

This certificate is issued to confirm a change in place of use approved by an order of the State Engineer entered March 3, 1941 and together with certificate of water right recorded at page 45354, Volume 37, State Record of Water Right Certificates, supersedes certificate 8961.

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. 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 25, 1985

/s/ William H. Young Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 48, page 53006