

STATE OF OREGON

COUNTY OF

GRANT

CERTIFICATE OF WATER RIGHT

This is to certify, That THOMAS ORCHARDS

of PO Box 496, Kimberly, State of Oregon 97848, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of North Fork John Day River

a tributary of John Day River for the purpose of irrigation of 15.8 acres

under Permit No. 44676 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from June 18, 1979 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.40 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the #1 - SE 1/4 NE 1/4; #2 - NE 1/4 SE 1/4, Section 30, T9S, R26E, WM; #1 - 1860 feet South and 620 feet West; #2 - 3530 feet South and 1210 feet West, both from the NE Corner, Section 30.

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-fortieth 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 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

- 5.7 acres SW 1/4 NE 1/4
- 7.8 acres NE 1/4 SW 1/4
- 2.3 acres NW 1/4 SE 1/4
- Section 30
- Township 9 South, Range 26 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to minimum flows established by the Water Policy Review Board with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date. July 10, 1985

/s/ William H. Young Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 48, page 53224

CANCELLED 57551