

STATE OF OREGON

COUNTY OF WHEELER

CERTIFICATE OF WATER RIGHT

This is to certify, That BOB ORDWAY

of Spray, State of Oregon 97874, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Kahler Creek

a tributary of John Day River for the purpose of irrigation of 48.4 acres

under Permit No. 40769 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 17, 1976 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 1.21 cubic feet 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 - NW 1/4 NW 1/4, Section 18, T8S, R25E, WM; #2 - SE 1/4 NE 1/4, #3 - NW 1/4 SE 1/4, Section 13, T8S, R24E, WM; 500 feet South and 430 feet East from NW Corner, Section 18; 2420 feet South and 960 feet West; 2770 feet South and 1520 feet West, both from the NE Corner, Section 13.

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 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:

9.3 acres SW 1/4 NE 1/4
1.7 acres SE 1/4 NE 1/4
1.7 acres NE 1/4 SW 1/4
4.0 acres NE 1/4 SE 1/4
14.3 acres NW 1/4 SE 1/4
Section 13
Township 8 South, Range 24 East, WM

10.8 acres SW 1/4 SW 1/4
Section 7
6.6 acres NW 1/4 NW 1/4
Section 18
Township 8 South, Range 25 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 Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. April 4, 1986

/s/ William H. Young
Water Resources Director