

STATE OF OREGON  
COUNTY OF WASCO  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ASHLEY BROTHERS CATTLE  
c/o ROBERT ASHLEY  
P.O. BOX 112  
TYGH VALLEY, OREGON 97063

confirms the right to use the waters of WHITE RIVER, a tributary of DESCHUTES RIVER, for the purpose of IRRIGATING 72.3 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for WASCO County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 18, at page 380. The date of priority is 1894 FOR TRACT 1 AND 1918 FOR TRACT 2.

The right is limited to not more than 1.81 CUBIC FEET PER SECOND TO JULY 1ST AND 0.905 CFS THEREAFTER IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION (ZUMUALT AND KINYON DITCH), NW 1/4 NW 1/4, SECTION 12, T 4 S, R 13 E, W.M.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 12, T 4 S, R 13 E, W.M.; 910 FEET NORTH AND 450 FEET WEST FROM THE E 1/4 CORNER SECTION 12.

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 CUBIC FOOT PER SECOND PER ACRE UP TO JULY 1ST AND ONE-EIGHTIETH CFS PER ACRE THEREAFTER, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 1.0 ACRE FOOT PER ACRE DURING ANY 30 DAY PERIOD UP TO JULY 1ST AND 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

SEE NEXT PAGE

TRACT 1

SE 1/4 NE 1/4 1.4 ACRES  
SECTION 12  
TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

LOT 2 (SW 1/4 NW 1/4) 18.6 ACRES  
SECTION 7  
TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

TRACT 2

SE 1/4 NW 1/4 36.1 ACRES  
NE 1/4 SW 1/4 3.7 ACRES  
LOT 3 (NW 1/4 SW 1/4) 12.5 ACRES  
SECTION 7  
TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered OCTOBER 26, 1981, and describes that portion of the water right confirmed by certificate 5763, State Record of Water Right Certificates, NOT CANCELLED by DECREE OF THE CIRCUIT COURT FOR WASCO COUNTY ENTERED AUGUST 3, 1981.

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 and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date FEBRUARY 24, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 60401

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