

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ORCHARDS WATER COMPANY
BROGAN, OREGON 97903

RICHARD D. HEVNER
BOX 43
BROGAN, OREGON 97903

confirms the right to use the waters of WILLOW CREEK AND RESERVOIR NO. 3 AND BLACK AND POLE CREEKS AND RESERVOIR NO. 1, tributaries of THE MALHEUR RIVER, for the purpose of IRRIGATING 26.9 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for MALHEUR County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 9, at page 211. The date of priority is APRIL 7, 1908 FOR WILLOW CREEK AND RESERVOIR NO. 3 AND MAY 29, 1907, FOR BLACK AND POLE CREEKS AND RESERVOIR NO. 1.

The points of diversion are located as follows:

NE 1/4 NE 1/4, SECTION 24, T 15 S, R 42 E, W.M.; EASTSIDE DITCH - 830 FEET SOUTH AND 1320 FEET WEST FROM NE CORNER SECTION 14; LOT 2 (SW 1/4 NW 1/4), SECTION 30, T 15 S, R 43 E, WM.; DIVERSION 3-1340 FEET SOUTH AND 100 FEET EAST FROM NW 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 a diversion of not to exceed TWO ACRE FEET PER SHARE DURING ANY IRRIGATION SEASON AND FURTHER LIMITED TO A DIVERSION OF NOT MORE THAN THREE ACRE FEET PER ACRE IRRIGATED DURING ANY IRRIGATION SEASON APPLIED TO THE SHARES, LANDS, AND TRACTS AS DESCRIBED BELOW. A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

EASTSIDE DITCH

NE 1/4 NE 1/4 11.1 ACRES
SECTION 25
TOWNSHIP 15 SOUTH, RANGE 42 EAST, W.M.

DIVERSION 3

LOT 2 (SW 1/4 NW 1/4) 15.8 ACRES
SECTION 30
TOWNSHIP 15 SOUTH, RANGE 43 EAST, W.M.

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.

These rights are subsequent and inferior to other rights under "New Form" contracts described by said decree, and also subsequent and inferior to the rights under "Old Form" contracts described by said decree.

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 the irrigation season.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered AUGUST 16, 1984, together with certificates 62422 and 62435 supersede certificate 45353, State Record of Water Right Certificates.

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.

WITNESS the signature of the Water Resources Director,
affixed this date SEPTEMBER 29, 1989.

Superseded by
Cert No. 75333

W WILLIAM E. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 62351