

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ORCHARDS WATER COMPANY
BROGAN, OREGON 97903

confirms the right to use the waters of WILLOW CREEK AND RESERVOIR NO. 3; BLACK CREEK AND POLE CREEK AND RESERVOIR NO. 1, tributaries of MALHEUR RIVER, for the purpose of IRRIGATING 863.5 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 MAY 29, 1907, FOR BLACK AND POLE CREEKS.

The right is limited to a diversion of TWO ACRE FEET PER ACRE DURING ANY IRRIGATION SEASON EXCEPT AS OTHERWISE INDICATED IN THE FOLLOWING TABULATION.

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

	SW 1/4	SW 1/4	8.0 ACRES	
	SECTION 13			
	NW 1/4	NW 1/4	6.0 ACRES	
	SW 1/4	NW 1/4	40.0 ACRES	
	NE 1/4	SW 1/4	40.0 ACRES	
NE 1/4	NW 1/4	SW 1/4	10.0 ACRES	
	SECTION 14			
	NE 1/4	NW 1/4	10.0 ACRES	
S 1/2	NW 1/4	NW 1/4	4.0 ACRES	
	SW 1/4	NW 1/4	40.0 ACRES	3.0 AC. FT. PER ACRE
	SECTION 23			
	TOWNSITE OF BROGAN			
	LOT 3	BLOCK 42	2.0 ACRES	
	LOT 1	BLOCK 43	1.0 ACRE	
	NE 1/4	SE 1/4	40.0 ACRES	
	SE 1/4	SE 1/4	40.0 ACRES	
	SECTION 24			
	NW 1/4	NW 1/4	NE 1/4	1.0 ACRE
	NE 1/4	NE 1/4	NW 1/4	2.0 ACRES
	S 1/2	NE 1/4	NW 1/4	2.5 ACRES
	SECTION 25			
	NE 1/4	NE 1/4	40.0 ACRES	
	SECTION 26			
	TOWNSHIP 15 SOUTH, RANGE 42 EAST, W.M.			

SEE NEXT PAGE

SW 1/4 SW 1/4 40.0 ACRES
 SE 1/4 SW 1/4 40.0 ACRES
 SECTION 19

W 1/2 NE 1/4 NW 1/4 20.0 ACRES
 NW 1/4 NW 1/4 0.1 ACRES *
 SE 1/4 NW 1/4 40.0 ACRES
 SE 1/4 SE 1/4 12.1 ACRES
 SECTION 30

NE 1/4 NE 1/4 37.6 ACRES 3.0 AC. FT. PER ACRE
 NW 1/4 NE 1/4 22.2 ACRES 3.0 AC. FT. PER ACRE
 SW 1/4 NE 1/4 11.3 ACRES 3.0 AC. FT. PER ACRE
 SE 1/4 NE 1/4 34.8 ACRES 3.0 AC. FT. PER ACRE
 NE 1/4 SE 1/4 13.8 ACRES 3.0 AC. FT. PER ACRE
 NW 1/4 SE 1/4 0.3 ACRE 3.0 AC. FT. PER ACRE
 SECTION 31

N 1/2 NW 1/4 43.0 ACRES
 SW 1/4 NW 1/4 24.5 ACRES *
 SE 1/4 NW 1/4 27.2 ACRES *
 SW 1/4 SE 1/4 23.2 ACRES *
 SE 1/4 SE 1/4 12.0 ACRES *
 SECTION 32

TOWNSHIP 15 SOUTH, RANGE 43 EAST, W.M.

NE 1/4 NW 1/4 6.1 ACRES
 NE 1/4 SW 1/4 20.0 ACRES *
 NE 1/4 SE 1/4 20.4 ACRES 2.74 AC. FT. PER ACRE
 NW 1/4 SE 1/4 37.6 ACRES 2.74 AC. FT. PER ACRE
 SW 1/4 SE 1/4 14.4 ACRES 2.74 AC. FT. PER ACRE
 SE 1/4 SE 1/4 19.6 ACRES 2.74 AC. FT. PER ACRE
 SECTION 4

SW 1/4 SE 1/4 2.0 ACRES
 SE 1/4 SE 1/4 7.0 ACRES
 SECTION 6

JAMIESON ACRE TRACTS
 LOTS 100-104 9.0 ACRES
 TRACT 101 5.0 ACRES
 LOT 115 2.8 ACRES
 SECTION 15

E 1/2 NE 1/4 NW 1/4 11.0 ACRES
 NW 1/4 NE 1/4 NW 1/4 10.0 ACRES
 SW 1/4 NE 1/4 NW 1/4 10.0 ACRES
 SECTION 26

TOWNSHIP 16 SOUTH, RANGE 43 EAST, W.M.

This certificate describes that portion of the water right confirmed by certificate 45354, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered NOVEMBER 20, 1980, JANUARY 19, 1981, AUGUST 10, 1981, FEBRUARY 9, 1982, JANUARY 24, 1983, AND AUGUST 16, 1984, approving transfer applications 4583, 4416, 4528, 4702, 4960, 5061, and 5203.

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

* These lands are also tabulated in part or in whole in certificate 62435. 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 any irrigation season.

Superseded by
Cert No. 75333

Canceled Sp.Or.Vol. 52 P. 321

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 SEPTEMBER 29, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 62423

R/R45354.TES