

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 18.0 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 point of diversion is 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.

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 ACRE DURING ANY IRRIGATION SEASON.

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

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SW 1/4 SE 1/4 18.0 ACRES  
SECTION 19  
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 of place of use described and shall be subject to all other conditions and limitations contained in said decree.

These rights are prior to the remaining rights under "New Form" contracts for 580.5 acres of land described by said decree, but subsequent and inferior to the rights under "Old Form" contracts for 533.43 acres of land 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 any 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, and together with certificates 62423, 62426, 62427, 62428, 62430, 62431, and 62433 supersedes certificate 45354, State Record of Water Right Certificates.

Superseded by  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.

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 62434