

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS ORCHARDS, INC.
BOX 496
KIMBERLY, OREGON 97848

confirms the right to use the waters of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for the purpose of FROST PROTECTION FOR 123.6 ACRES.

This right has been perfected under Permit 41184. The date of priority is OCTOBER 20, 1976. This right is limited to 18.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 NE 1/4, SE 1/4 NE 1/4, NW 1/4 SE 1/4, SECTION 30, SE 1/4 SE 1/4 SECTION 19, T 9 S, R 26 E, W.M.; DIVERSION 1 - 620 FEET SOUTH AND 730 FEET WEST, DIVERSION 2 - 1800 FEET SOUTH AND 750 FEET WEST, DIVERSION 3 - 3510 FEET SOUTH AND 1330 FEET WEST ALL FROM THE NE CORNER OF SECTION 30; DIVERSION 4 - 200 FEET SOUTH AND 700 FEET EAST FROM THE NW CORNER OF THE SE 1/4 SE 1/4, SECTION 19.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

SE 1/4 SE 1/4 12.8 ACRES
SECTION 19

SW 1/4 SW 1/4 3.4 ACRES
SECTION 20

NW 1/4 NW 1/4 5.8 ACRES
SW 1/4 NW 1/4 2.4 ACRES
SECTION 29

NE 1/4 NE 1/4 21.2 ACRES
SW 1/4 NE 1/4 7.3 ACRES
SE 1/4 NE 1/4 27.0 ACRES
NE 1/4 SW 1/4 0.8 ACRE
NE 1/4 SE 1/4 4.6 ACRES
NW 1/4 SE 1/4 31.8 ACRES
SW 1/4 SE 1/4 6.5 ACRES
SECTION 30

TOWNSHIP 9 SOUTH, RANGE 26 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. This right 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
AUGUST 12, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 66577.
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