

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ORCHARDS WATER COMPANY
P.O. BOX 5
JAMIESON, OR 97909-0005

confirms the right to use the waters of WILLOW CREEK AND RESERVOIR NO. 3 (AKA MALHEUR RESERVOIR) and BLACK and POLE CREEKS and RESERVOIR NO. 1 (AKA POLE CREEK RESERVOIR), tributaries of MALHEUR RIVER for IRRIGATION OF 126.10 ACRES AND SUPPLEMENTAL IRRIGATION OF 407.30 ACRES OF LAND.

This right was 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 dates of priorities are APRIL 7, 1908 for WILLOW CREEK and RESERVOIR NO. 3 (AKA MALHEUR RESERVOIR) and MAY 29, 1907, for BLACK and POLE CREEKS and RESERVOIR NO. 1 (AKA POLE CREEK RESERVOIR).

The points of diversion are located as follows:

- #2- Coles Ditch: 1300 feet South and 300 feet West from the NE corner of Section 10, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, Township 15 South, Range 42 East, W.M.
- #3- Eastside Ditch: 840 feet South and 1260 feet West from the NE corner of Section 24, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 15 South, Range 42 East, W.M.
- #5- Low-Line Ditch: 2370 feet South and 300 feet West from the NE corner of Section 22, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, Township 15 South, Range 42 East, W.M.
- #8- Siddoway Ditch: 2070 feet South and 550 feet West from the NE corner of Section 22, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, Township 15 South, Range 42 East, W.M.
- #9- Pole Creek Reservoir: 2030 feet South and 1000 feet West from the NE corner of Section 22, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, Township 15 South, Range 42 East, W.M.
- #10- Malheur Reservoir: 1550 feet South and 290 feet West from the NE corner of Section 15, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 14 South, Range 41 East, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of not to exceed THREE ACRE FEET PER ACRE DURING ANY IRRIGATION SEASON.

A description of the lands irrigated under such right, and to which the water is appurtenant or, if for other purposes, the place where such water is put to beneficial use, is as follows:

OWNER	T(S)	R(E)	SEC	$\frac{1}{4}$	$\frac{1}{4}$	SOURCE	DATE	POD	ACRES	USE	
Coleman	15	43	30	SE	NE	Res 1,3	4/7/1908, 5/29/1907	9,10	33.90	IS	
									Total	33.90	

75350

OWNER	T(S)	R(E)	SEC	¼	¼	SOURCE	DATE	POD	ACRES	USE	
Domby	15	42	14	NE	SE	Res 3	4/7/1908	10	1.80	IS	
Domby	15	42	14	NE	SE	Res 3	4/7/1908	10	2.00	IS	
Domby	15	42	14	NW	SE	Res 3	4/7/1908	10	0.20	IS	
Domby	15	42	14	NW	SE	Res 3	4/7/1908	10	16.80	IS	
Domby	15	42	14	SE	SE	Res 3	4/7/1908	10	0.10	IS	
Domby	15	42	14	SE	SE	Res 3	4/7/1908	10	10.70	IS	
Domby	15	42	14	SW	SE	Res 3	4/7/1908	10	0.20	IS	
Domby	15	42	14	SW	SE	Res 3	4/7/1908	10	34.80	IS	
									Total	66.60	

Glaede	15	43	30	NE	NW	Res 1,3	4/7/1908, 5/29/1907	9,10	20.00	IS	
									Total	20.00	

Heid	16	43	4	SE	NW	Res 1,3	4/7/1908, 5/29/1907	9,10	23.00	IS	
Heid	16	43	4	SW	NW	Res 1,3	4/7/1908, 5/29/1907	9,10	40.00	IS	
									Total	63.00	

Mayhall	15	42	23	SE	NE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	9,10,2	3.80	IR	
Mayhall	15	42	14	SE	SE	Res 1,3	4/7/1908, 5/29/1907	9,10	20.40	IS	
Mayhall	15	42	23	NE	NE	Res 1,3, Willow Cr	4/7/1908	9,10,2	3.20	IS	
Mayhall	15	42	23	NE	NE	Res 1,3, Willow Cr	4/7/1908	9,10,2	4.40	IS	
Mayhall	15	42	23	NE	NE	Res 1,3, Willow Cr	4/7/1908	9,10,2	4.80	IS	
Mayhall	15	42	23	NE	NE	Res 1,3, Willow Cr	4/7/1908	9,10,2	5.80	IS	
Mayhall	15	42	23	NE	NE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	9,10,2	0.10	IS	
Mayhall	15	42	23	NE	NE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	9,10,2	0.30	IS	
Mayhall	15	42	23	NE	NE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	9,10,2	0.40	IS	
Mayhall	15	42	23	NE	NE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	9,10,2	0.80	IS	
Mayhall	15	42	23	NE	NE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	9,10,2	1.70	IS	
Mayhall	15	42	23	NE	NE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	9,10,2	11.90	IS	
Mayhall	15	42	23	SE	NE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	9,10,2	5.80	IS	
									Total	63.40	

McGourty	15	43	30	NE	SE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	3,9,10	2.90	IR	
McGourty	15	43	30	NE	SE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	3,9,10	6.20	IR	
McGourty	15	43	30	NE	SE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	3,9,10	29.20	IR	
McGourty	15	43	30	SE	SE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	3,9,10	0.40	IR	
McGourty	15	43	30	SE	SE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	3,9,10	1.10	IR	
McGourty	15	43	30	SE	SE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	3,9,10	2.70	IR	
McGourty	15	43	30	SE	SE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	3,9,10	34.80	IR	
McGourty	15	43	19	NW	SW	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	3,9,10	1.40	IS	
McGourty	15	43	30	NW	NE	Res 1,3	4/7/1908, 5/29/1907	9,10	1.30	IS	
McGourty	15	43	30	NW	NE	Res 1,3	4/7/1908, 5/29/1907	9,10	37.90	IS	
									Total	117.90	

Park	15	43	19	SW	SW	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	3,9,10	1.80	IS	
Park	15	43	19	SW	SW	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	3,9,10	6.80	IS	
									Total	8.60	

Pugh	15	42	24	SW	SE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	2,9,10	13.40	IR	
Pugh	15	42	24	NW	SW	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	2,9,10	6.60	IR	
Pugh	15	42	13	NE	SW	Res 3	4/7/1908	10	3.00	IS	
Pugh	15	42	13	NE	SW	Res 3	4/7/1908	10	4.40	IS	
Pugh	15	42	13	NW	SW	Res 3	4/7/1908	10	21.90	IS	
Pugh	15	42	13	SE	SW	Res 3	4/7/1908	10	8.80	IS	
Pugh	15	42	13	SE	SW	Res 3	4/7/1908	10	22.40	IS	
Pugh	15	42	13	SW	SW	Res 3	4/7/1908	10	1.40	IS	
Pugh	15	42	13	SW	SW	Res 3	4/7/1908	10	18.10	IS	
									Total	100.00	

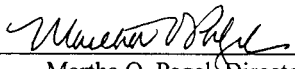
OWNER	T(S)	R(E)	SEC	¼	¼	SOURCE	DATE	POD	ACRES	USE	
Siddoway	15	42	22	NE	NE	Res 1 & Pole Cr	5/29/1907	9,8	3.10	IR	
Siddoway	15	42	22	SE	NE	Res 1 & Pole Cr	5/29/1907	9,8	1.70	IR	
Siddoway	15	42	23	NW	NW	Res 1 & Pole Cr	5/29/1907	9,8	0.20	IR	
									Total	5.00	
Spence	15	42	23	NW	NE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	9,10,2	15.30	IS	
Spence	15	42	23	NW	NE	Res 1,3, Willow Cr	4/7/1908, 5/29/1907	2,9,10	19.70	IS	
									Total	35.00	
Vilsmeyer	15	42	25	NW	NW	Pole, Will Cr, Res 1,3	4/7/1908, 5/29/1907	2,5,9,10	8.50	IR	
Vilsmeyer	15	42	26	NE	NE	Pole, Will Cr, Res 1,3	4/7/1908, 5/29/1907	2,5,9,10	1.80	IR	
Vilsmeyer	15	42	26	NE	NE	Pole, Will Cr, Res 1,3	4/7/1908, 5/29/1907	2,5,9,10	9.70	IR	
									Total	20.00	
									Grand Total: 533.40 Acres		

This right, documents the "old form contracts" and is prior to the rights of all other water users' under "new form contracts" of the Orchards Water Company.

This certificate confirms an order of the director entered on 4-7-98, and recorded in Special Order Volume 52, Page 322, approving a petition by Orchards Water Company under ORS 541.329 for mapping water rights within a district. This certificate supersedes certificates 7310, 7313, 7315, 7316, 7318, 7319, 7320, 7321, 8960, 51209, 52842, 62429 and 62432.

The right to the use of the water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed 4/7/98.


 Martha O. Pagel, Director

Recorded in State Records of Water Right Certificates numbered 75350.

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