

STATE OF OREGON
COUNTY OF JEFFERSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RONALD B. OCHS
GATEWAY ROUTE, BOX 481
MADRAS, OREGON 97741

confirms the right to use the waters of TROUT CREEK, a tributary of HAY CREEK, for IRRIGATION OF 229.0 ACRES, DOMESTIC AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JEFFERSON COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at Page 57. The date of priority is 1879 FOR TRACT NO. 1; 1979 FOR TRACT NO. 2; 1882 FOR TRACT NO. 4; MARCH 1903 FOR TRACT NO. 5; AND 1904 FOR TRACT NO. 7.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.5 ACRE FEET PER ACRE DURING ANY PERIOD OF 30 DAYS OR 6 ACRE FEET PER ACRE DURING ANY IRRIGATION SEASON (IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSIONS DESCRIBED AS:

TRACT NO. 1 - PRIDAY NO. 2 DITCH LOCATED WITHIN THE NW 1/4 SW 1/4, SECTION 9, TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M., BEING 2350 FEET NORTH AND 250 FEET EAST FROM THE SW CORNER OF SECTION 9;

TRACT NO. 2 - PRIDAY NO. 1 DITCH LOCATED WITHIN THE SE 1/4 SE 1/4, SECTION 8, TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M., BEING 1100 FEET NORTH AND 950 FEET WEST FROM THE SE CORNER OF SECTION 8;

TRACT NO. 4 - PRIDAY AND CRAM DITCH LOCATED WITHIN THE NE 1/4 SE 1/4, SECTION 8, TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M., BEING 500 FEET SOUTH AND 50 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 8;

TRACT NO. 5 - MORGAN DITCH NO. 3 LOCATED WITHIN THE SW 1/4 SE 1/4, SECTION 8, TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M., BEING 350 FEET NORTH AND 1950 FEET WEST FROM THE SE CORNER OF SECTION 8; AND

TRACT NO. 7 - NASH DITCH NO. 4 LOCATED WITHIN THE SW 1/4 NW 1/4 SECTION 3, TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M., BEING 250 FEET NORTH AND 400 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 3);

or its equivalent in case of rotation, measured at the points of diversions from the source.

The points of diversion are located as follows:

NW 1/4 NE 1/4, SECTION 17, TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M.; 800 FEET SOUTH AND 2260 FEET WEST FROM THE NE CORNER OF SECTION 17; AND

SE 1/4 NW 1/4, SECTION 17, TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M.; 1650 FEET SOUTH AND 1400 FEET EAST FROM THE NW CORNER OF SECTION 17.

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

TRACT NO. 1

NE 1/4 SE 1/4 6.50 ACRES
SW 1/4 SE 1/4 5.75 ACRES
SE 1/4 SE 1/4 32.75 ACRES

SECTION 8

TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M.

TRACT NO. 2

NW 1/4 NE 1/4 28.50 ACRES
SW 1/4 NE 1/4 16.00 ACRES
NE 1/4 SW 1/4 2.50 ACRES

SECTION 17

TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M.

TRACT NO. 4

NE 1/4 NW 1/4 16.75 ACRES
NW 1/4 NW 1/4 8.75 ACRES
SW 1/4 NW 1/4 38.25 ACRES
SE 1/4 NW 1/4 24.00 ACRES
NE 1/4 SW 1/4 2.50 ACRES
NW 1/4 SW 1/4 13.25 ACRES

SECTION 17

TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M.

TRACT NO. 5

NE 1/4 NW 1/4 10.00 ACRES
SECTION 17
TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M.

TRACT NO. 7

NE 1/4 NE 1/4 23.50 ACRES
SECTION 17
TOWNSHIP 9 SOUTH, RANGE 15 EAST, W.M.

The diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the water user is entitled.

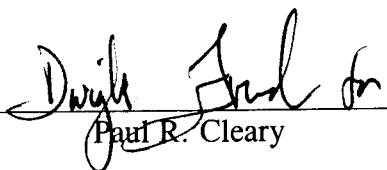
The type and plans of the measuring device shall be approved by the watermaster and the weir or measuring device be installed and maintained under the general supervision of the watermaster.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 30, 1978, and together with Certificate 45510, supersedes Certificate 2256, 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.

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 is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed JULY 31, 2001.



Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 77026.