

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLYDE HOLLIDAY FAMILY RANCHES INC.  
62394 HWY 26  
JOHN DAY OR 97845

confirms the right to use the waters of PINE CREEK, tributary to JOHN DAY RIVER for IRRIGATION of 252.8 ACRES.

This right was perfected under Permit 49885. The date of priority is NOVEMBER 7, 1986. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 6.38 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point(s) of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	32 E	WM	36	NW NW	HILLIS DITCH: 750 FEET SOUTH AND 1140 FEET EAST FROM NW CORNER, SECTION 36
13 S	32 E	WM	36	NW NW	HORSLEY DITCH: 350 FEET SOUTH AND 1000 FEET EAST FROM NW CORNER, SECTION 36

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 ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres	POD
13 S	32 E	WM	14	NE SE	1.8	HILLIS DITCH
13 S	32 E	WM	14	SW SE	6.2	HILLIS DITCH
13 S	32 E	WM	14	SE SE	4.7	HILLIS DITCH
13 S	32 E	WM	14	SE SW	0.8	HILLIS DITCH
13 S	32 E	WM	23	NW NE	22.3	HILLIS DITCH
13 S	32 E	WM	23	SW NE	28.4	HILLIS DITCH
13 S	32 E	WM	23	SE NE	1.1	HILLIS DITCH
13 S	32 E	WM	23	NE SW	7.0	HORSLEY DITCH

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Twp	Rng	Mer	Sec	Q-Q	Acres	POD
13 S	32 E	WM	23	SE SW	13.5	HORSLEY DITCH
13 S	32 E	WM	23	NE SE	2.4	HILLIS DITCH
13 S	32 E	WM	23	NW SE	12.6	HILLIS DITCH
13 S	32 E	WM	25	NE NW	10.8	HILLIS DITCH
13 S	32 E	WM	25	NW NW	39.5	HILLIS DITCH
13 S	32 E	WM	25	SW NW	40.0	HILLIS DITCH
13 S	32 E	WM	25	SE NW	6.8	HILLIS DITCH
13 S	32 E	WM	25	NW SW	27.5	HILLIS DITCH
13 S	32 E	WM	25	SW SW	27.4	HILLIS DITCH

The quantity of water diverted at the new points of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water available from the original points of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	32 E	WM	25	NW NW	DITCH #5: 4070 FEET NORTH & 100 FEET EAST FROM NW CORNER, SECTION 36
13 S	32 E	WM	36	NW NW	DITCH #6: 920 FEET EAST FROM NW CORNER, SECTION 36
13 S	32 E	WM	25	NW SW	MCKENNA DITCH: 1600 FEET NORTH & 730 FEET EAST FROM NW CORNER, SECTION 36
13 S	32 E	WM	36	NW NW	HORSLEY DITCH: 350 FEET SOUTH & 1000 FEET EAST FROM NW CORNER, SECTION 36
13 S	32 E	WM	36	NE SW	STALEY DITCH: 3050 FEET SOUTH & 1900 FEET EAST FROM NW CORNER, SECTION 36

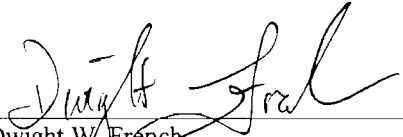
When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in place of use and additional points of diversion approved by an order of the Water Resources Director, entered April 7, 2006, at Special Order Volume 68, Page 257, approving Transfer Application 7438, and together with Certificate 81964, supersedes Certificate 80463, State record of Water Right Certificates.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

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.

Issued NOV 29 2011

  
 Dwight W. French  
 Water Right Services Administrator, for  
 Phillip C. Ward, Director