

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVIS ORCHARDS INC.
53285 APPLETON RD
MILTON FREEWATER OR 97862

confirms the right to use the waters of WEST BRANCH WEST CROCKETT CREEK, tributary to EAST LITTLE WALLA WALLA RIVER for IRRIGATION of 10.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1887.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion (POD) are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	35 E	WM	26	SW NW	POD 2 - 60 FEET NORTH AND 650 FEET EAST FROM W1/4 CORNER, SECTION 26
6 N	35 E	WM	26	SE NW	POD 1 - 90 FEET NORTH AND 1620 FEET EAST FROM W1/4 CORNER, SECTION 26

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	26	E ½ SE NW	10.0

The quantity of water diverted at the new points of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available from the original point of diversion.

Any water stored in ponds (bulges in the system) may only be stored for the purpose of irrigation and only during the irrigation season.

The water user shall contact the Watermaster and provide information as to which water rights and the amounts that are to be serviced by each point of diversion when water delivery starts under this right. Prior to using water each year, the water user shall provide necessary information to the Watermaster. The designated points of diversion shall be used continuously until a request is made to the Watermaster to change. The request to the Watermaster shall be reasonable and must be received at least three days in advance of the requested change date.

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

The water user shall maintain a headgate or other suitable device for controlling the water at the point where water is diverted. It shall be of such construction that it can be locked and kept closed by the Watermaster.

The water user shall maintain an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

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

This certificate is issued to confirm changes in POINTS OF DIVERSION approved by an order of the Water Resources Director entered JANUARY 23, 2007, at Special Order Volume 71, Page 79, approving Transfer Application 9163, and supersedes Certificate 12524, State Record of Water Right Certificates.

Issued NOV 08 2013.



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