

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JSM TRUST; JOHN MOON III & SUZANNE MOON TRUSTEES
50629 ALTNOW BEULAH LANE
DREWSEY OR 97904

confirms the right to use the waters of WARM SPRINGS CREEK, A TRIBUTARY OF MALHEUR RIVER FOR TRACT #1 for the purpose of IRRIGATION of 135 ACRES; COTTONWOOD CREEK, A TRIBUTARY OF MALHEUR RIVER, FOR TRACT #2 for the purpose of IRRIGATION of 110.0 ACRES FOR TRACT #2.

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 8, at Page 228. The date of priority is JULY 5, 1883 for TRACT #1, MARCH 13, 1885 for TRACT #2.

Rate: TRACT 1: 3.16 CUBIC FEET PER SECOND (cfs)

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
20 S	36 E	WM	4	SE NE	TRACT 1: WARM SPRINGS CREEK - 930 FEET NORTH AND 430 FEET WEST FROM THE E 1/4 CORNER, SECTION 4
19 S	36 E	WM	28	NE NW	TRACT 2: COTTONWOOD CREEK - 210 FEET SOUTH AND 1660 FEET EAST FROM THE NW CORNER, SECTION 28

The amount of water to which such right, for the purpose aforesaid, is limited to an amount actually beneficially used for said purpose, and shall not exceed 3.16 CUBIC FOOT PER SECOND FOR TRACT #1; AND 1½ ACRE FEET PER ACRE IN ANY 30-DAY PERIOD PRIOR TO JUNE 1ST, 1.0 ACRE FOOT PER ACRE IN ANY 30-DAY PERIOD AFTER JUNE 1ST, OF EACH YEAR, OR THREE ACRE FEET PER ACRE DURING ANY SEASON DIVERTED AT A RATE NOT TO EXCEED ONE-TWENTIETH OF A CUBIC FOOT PER SECOND PER ACRE, FOR TRACT #2.

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

TRACT #1:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
20 S	36 E	WM	3	NW SW		4.6
20 S	36 E	WM	3	SW SW		0.6
20 S	36 E	WM	4	SW NE		15.0
20 S	36 E	WM	4	SE NE		14.4
20 S	36 E	WM	4	SE NW		2.0

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.

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
20 S	36 E	WM	4	SW SW		2.3
20 S	36 E	WM	4	SE SW		33.7
20 S	36 E	WM	4	NE SE		23.4
20 S	36 E	WM	4	NW SE		31.2
20 S	36 E	WM	4	SW SE		7.8

TRACT #2:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
20 S	36 E	WM	4	SW NE		1.0
20 S	36 E	WM	4	NE NW	3	18.0
20 S	36 E	WM	4	NW NW	4	10.0
20 S	36 E	WM	4	SW NW		17.2
20 S	36 E	WM	4	SE NW		35.4
20 S	36 E	WM	4	SW SW		27.9
20 S	36 E	WM	4	SE SW		0.5

Measurement, recording and reporting conditions:


- A. The water user shall maintain the meters or other suitable measuring devices in good working order.
- B. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

And said right shall be subject to all other condition and limitations contained in said decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered July 14, 2014, at Special Order Volume 92, Page 1033, approving Transfer Application T-11676, and together with Certificate 89323, supersedes Certificate 6847, State Record of Water Right Certificates.

Issued JAN 26 2015


 Dwight W. French
 Water Right Services Division Administrator, for
 Thomas M. Byler, Director
 Oregon Water Resources Department