

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EMERT RANCHES INC.
C/O JOSEPH MCELLIGOTT
PO BOX 4
IONE OR 97843

confirms the right to use the waters of WILLOW CREEK, tributary to the COLUMBIA RIVER for IRRIGATION OF 76.08 ACRES (from February 1st to September 1st of each year).

This right was confirmed by decree of the Circuit Court of the State of Oregon for Morrow County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 1, at Page 73. The date of priority is 1898.

The amount of water to which such right is entitled and hereby confirmed for the purpose aforesaid, is limited to an amount actually beneficially used for said purpose, and shall not exceed 1.27 cubic feet per second.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	24 E	WM	11	NW NE	POD #3 – PETTYS DITCH (ORIGINAL) - 1270 FEET SOUTH AND 1000 FEET EAST FROM N1/4 CORNER, SECTION 11
1 S	24 E	WM	11	SE NW	POD #4 – HAMMERS & HOWARD (ORIGINAL) - 1750 FEET SOUTH AND 2060 FEET EAST FROM NW CORNER, SECTION 11
1 S	24 E	WM	11	SE NE	POD #2 – WILLOW CREEK (ADDITIONAL) - 2120 FEET SOUTH AND 30 FEET WEST FROM NE CORNER, SECTION 11
1 S	24 E	WM	10	NE NE	POD #5 – PUMP WILLOW CREEK (ADDITIONAL) - 20 FEET SOUTH AND 1240 FEET WEST FROM NE CORNER, SECTION 10

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

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	24 E	WM	3	SE SW	1.38
1 S	24 E	WM	3	SW SE	4.7
1 S	24 E	WM	10	NE NE	14.2
1 S	24 E	WM	10	NW NE	15.3
1 S	24 E	WM	10	NE NW	21.2
1 S	24 E	WM	10	NW NW	0.2
1 S	24 E	WM	11	NW NW	13.0
1 S	24 E	WM	11	SW NW	5.8
1 S	24 E	WM	11	SE NW	0.3

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

When required by the Department, the water user shall operate the headgate and measuring device, as needed. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may monitor the accuracy of the measuring device, as needed.

The water user shall maintain a fish screen or fish by-pass device.

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 lawfully available at the original points of diversion.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

This certificate is issued to confirm changes in ADDITIONAL POINTS OF DIVERSION and PLACE OF USE approved by an order of the Water Resources Director entered AUGUST 11, 2004, at Special Order Volume 61, Page 181, approving Transfer Application 9454, and together with Certificate 80902, supersedes Certificate 154, State record of Water Right Certificates.

Issued DEC 13 2019.

A handwritten signature in blue ink, appearing to read "Dwight French".

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