

STATE OF OREGON

COUNTY OF HARNEY AND MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

D E JONES  
JUNTURA, OR 97911

confirms the right to use the waters of the MIDDLE FORK MALHEUR RIVER FOR TRACT 1; NORTH FORK MALHEUR RIVER FOR TRACT 2; MALHEUR RIVER FOR TRACT 3 AND POLE CREEK FOR TRACT 4, a tributary to the SNAKE RIVER FOR IRRIGATION OF 827.23 ACRES.

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 SEPTEMBER 1883 FOR TRACT 1; 1885 FOR TRACT 2; SEPTEMBER 1888 FOR TRACT 3; AND 1901 FOR TRACT 4.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.5 ACRE FEET PER ACRE IN ANY 30 DAY PERIOD PRIOR TO JUNE 1<sup>ST</sup>, 1.0 ACRE FOOT PER ACRE IN ANY 30 DAY PERIOD AFTER JUNE 1<sup>ST</sup> OF EACH YEAR, OR 3.0 ACRE FEET PER ACRE DURING ANY SEASON, DIVERTED AT A RATE NOT TO EXCEED ONE-TWENTIETH OF A CUBIC FOOT PER SECOND PER ACRE, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Tract
19 S	34 E	WM	30	NW NW	TRACT 1
19 S	34 E	WM	30	NW SW	TRACT 1
20 S	37 E	WM	27	NE SE	TRACT 2
21 S	38 E	WM	7	SE SW	TRACT 2
21 S	38 E	WM	18	NW NE	TRACT 2
20 S	39 E	WM	25	SE SW	TRACT 3
20 S	39 E	WM	33	NE NW	TRACT 3
20 S	39 E	WM	33	SW NW	TRACT 3
20 S	40 E	WM	31	NE NW	TRACT 3
20 S	39 E	WM	29	SE SE	TRACT 4

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

IRRIGATION TRACT 1 - 1885					
Twp	Rng	Mer	Sec	Q-Q	Acres
19 S	34 E	WM	30	SW NW	24.00
19 S	34 E	WM	30	NW SW	23.00
19 S	34 E	WM	30	SW SW	30.00
19 S	34 E	WM	31	NE NW	6.00
19 S	34 E	WM	31	NW NW	40.00
19 S	34 E	WM	31	SW NW	40.00
19 S	34 E	WM	31	SE NW	31.00
19 S	34 E	WM	31	NE SW	40.00
19 S	34 E	WM	31	NW SW	40.00
Total					274.00

IRRIGATION TRACT 2 - 1885					
Twp	Rng	Mer	Sec	Q-Q	Acres
21 S	38 E	WM	7	NE NW	37.50
21 S	38 E	WM	7	SE NW	40.00
21 S	38 E	WM	16	SW NE	6.00
21 S	38 E	WM	16	NW NW	17.00
21 S	38 E	WM	16	SW NW	40.00
21 S	38 E	WM	16	SE NW	40.00
21 S	38 E	WM	16	NE SW	40.00
21 S	38 E	WM	16	NW SW	40.00
21 S	38 E	WM	16	SE SW	30.50
21 S	38 E	WM	16	NW SE	10.00
21 S	38 E	WM	16	SW SE	1.50
21 S	38 E	WM	21	NE NW	3.00
Total					305.50

IRRIGATION TRACT 3 - 1888					
Twp	Rng	Mer	Sec	Q-Q	Acres
20 S	39 E	WM	27	SW NE	8.00
20 S	39 E	WM	27	SW NW	7.35
20 S	39 E	WM	27	SE NW	5.30
20 S	39 E	WM	27	NE SW	38.20
20 S	39 E	WM	27	NW SW	25.00
20 S	39 E	WM	27	SW SW	4.00
20 S	39 E	WM	27	SE SW	20.00
20 S	39 E	WM	27	NE SE	29.90
20 S	39 E	WM	27	NW SE	37.10
20 S	39 E	WM	27	SW SE	31.00
20 S	39 E	WM	27	SE SE	20.50
20 S	39 E	WM	28	NE SE	7.00
20 S	39 E	WM	28	SW SE	0.50
Total					233.85


IRRIGATION TRACT 4 - 1901					
Twp	Rng	Mer	Sec	Q-Q	Acres
20 S	39 E	WM	32	NE NE	4.78
20 S	39 E	WM	33	NW NE	3.00
20 S	39 E	WM	33	NE NW	2.00
20 S	39 E	WM	33	NW NW	4.10
Total					13.88

This certificate describes those portions of the water right confirmed by Certificate 49067, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered March 26, 1981, approving Transfer Application T-4679 and entered JAN 13 2017, approving Transfer Application T-11924.

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 JAN 13 2017.

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

