

STATE OF OREGON  
COUNTY OF **UMATILLA**  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** **MILTON NURSERY COMPANY**  
**By: J. Frank Schmidt, Jr.**

of **P. O. Box 7, Milton-Freewater**, State of **Oregon**, has made proof to the satisfaction of the **STATE ENGINEER** of Oregon, of a right to the use of the waters of a well

a tributary of **Walla Walla River** for the purpose of **supplemental irrigation of 172.39 acres**

under Permit No. **G-4409** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **November 18, 1968**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **1.45 cubic feet per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 1, T. 5 N., R. 35 E., W. M., 1330 feet North and 1310 feet West from E $\frac{1}{2}$  Corner, Section 1.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-eighth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **3 acre feet per acre** for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

40.0 acres **NE $\frac{1}{4}$  NE $\frac{1}{4}$**   
30.4 acres **NW $\frac{1}{4}$  NE $\frac{1}{4}$**   
39.7 acres **SW $\frac{1}{4}$  NE $\frac{1}{4}$**   
40.0 acres **SE $\frac{1}{4}$  NE $\frac{1}{4}$**   
3.6 acres **NE $\frac{1}{4}$  NW $\frac{1}{4}$**   
7.19 acres **SE $\frac{1}{4}$  NW $\frac{1}{4}$**   
Section 1  
T. 5 N., R. 35 E., W. M.

11.5 acres **SE $\frac{1}{4}$  SE $\frac{1}{4}$**   
Section 36  
T. 6 N., R. 35 E., W. M.

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

WITNESS the signature of the State Engineer, affixed

this date. **May 23, 1975**

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**Chris L. Wheeler**

State Engineer

Recorded in State Record of Water Right Certificates, Volume **34**, page **42268**