

STATE OF OREGON

COUNTY OF

UMATILLA

CERTIFICATE OF WATER RIGHT

This is to certify, *That* TRI-SET, INC.

of Route 1, Box 1824, Hermiston, State of Oregon 97838, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a pond

a tributary of Lost Lake for the purpose of irrigation of 41.48 acres

under Permit No. 35712 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 April 30, 1971 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 0.78 cubic foot 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 SE 1/4 NW 1/4, Section 3, T3N, R27E, WM; 460 feet North and 1,800 feet East from W 1/4 Corner, Section 3.

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-fortieth 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 4 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year

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:

3.48 acres NE 1/4 NW 1/4
38.00 acres NW 1/4 NW 1/4
Section 3
Township 3 North, Range 27 East, WM

In processing the application towards issuance of the permit, it appears that a clerical error was inadvertently made in limiting the duty of water to not exceed one-eighth of one cubic foot per second per acre and 4 1/2 acre-feet per acre. In the issuance of this certificate, the duty of water has been raised to one-fortieth of one cubic foot per second per acre and 4 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year, in keeping with the customary policy and determination of this office of the proper maximum limits.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to minimum flows established by the Water Policy Review Board with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. June 11, 1985

...../s/.....William H. Young.....
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 48, page 53200