

STATE OF OREGON

COUNTY OF

UMATILLA

CERTIFICATE OF WATER RIGHT

This is to certify, That ESTATE OF BERKELEY A. DAVIS

of 209 NW Despain Avenue, Pendleton, State of Oregon 97801, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Berkeley A. Davis Well

a tributary of Wildhorse Creek for the purpose of irrigation of 36.5 acres

under Permit No. U-520 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 March 10, 1953 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 0.40 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NE 1/4 NW 1/4, Section 3, T3N, R34E, WM; 775 feet South and 1025 feet West from N 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-eightieth 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, and shall be still further limited to a diversion of not to exceed 0.40 cubic foot per second

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: 10.4 acres NW 1/4 NW 1/4 26.1 acres NE 1/4 NW 1/4 Section 3 Township 3 North, Range 34 East, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 22887, Volume 16, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on May 24, 1985, approving Transfer Application 5614.

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 purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date. August 27, 1985

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

Recorded in State Record of Water Right Certificates, Volume 48, page 53386