

STATE OF OREGON

COUNTY OF

UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* DAVID H. MARKS

of Route 3, Box 3819, Hermiston , State of OR 97838 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Hat Rock Drain Ditch

a tributary of Columbia River for the purpose of irrigation of 111.0 acres

under Permit No. 32000 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 September 14, 1966 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 2.0 cubic feet per second, if available at the original point of diversion in the SW 1/4 SE 1/4, Section 21, T5N, R29E, WM; 920 feet North and 1550 feet West from SE corner Section 21.

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW 1/4 SE 1/4, NE 1/4 SE 1/4, Section 21, T5N, R29E, WM; #1 - 920 feet North and 1550 feet West; #2 - 1550 feet North and 1160 feet West; both from SE corner Section 21.

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 4.5 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:

SEE NEXT PAGE

18.4 acres NE 1/4 SE 1/4
2.8 acres SW 1/4 SE 1/4
30.6 acres SE 1/4 SE 1/4
Section 21

37.2 acres SW 1/4 SW 1/4
22.0 acres SE 1/4 SW 1/4
Section 22

Township 5 North, Range 29 East, WM

This certificate is issued to confirm an additional point of diversion approved by an order of the Water Resources Director entered August 29, 1977, and supersedes certificate of water right recorded at page 41033, Volume 33, State Record of Water Right Certificates.

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. and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. December 19, 1986

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50 , page 55319