

STATE OF OREGON

COUNTY OF

UMATILLA

CERTIFICATE OF WATER RIGHT

JACK C. & BETTY GENE SWECK, ROBERT W. & BETTY J. BYER, JIM & LORRETTA GUGIN, LAVERNE FRAZIER AND LONNIE O. & VICKI L. READ

This Is to Certify, That

of 2550 US 395 S., Pendleton, State of OR 97801, has a right to the use of the waters of McKay Creek

a tributary of Umatilla River for the purpose of irrigation of 13.0 acres, domestic and stock

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at page 127; that the priority of the right thereby confirmed dates from 1894

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.16 cubic foot per second, if available at the original point of diversion, NW 1/4 NE 1/4, Section 28, T2N, R32E, WM; French Ditch - 300 feet South and 1550 feet West from NE corner Section 28.

The point of diversion is located in the SW 1/4 SE 1/4, NW 1/4 SE 1/4, Section 21, T2N, R32E, WM; #1 - 180 feet North and 680 feet East; #2 - 770 feet North and 290 feet East; #3 - 1980 feet North and 80 feet East; all from the S 1/4 corner Section 21.

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

READ & FRAZIER DIV. PT. #3

SWECK DIV. PT. #2

BYER & GUGIN DIV. PT. #1

3.6 acres NW 1/4 SE 1/4 Section 21

2.0 acres NW 1/4 SE 1/4 5.0 acres SW 1/4 SE 1/4 Section 21

2.4 acres SW 1/4 SE 1/4 Section 21

Township 2 North, Range 32 East, WM

This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the Water Resources Director entered March 6, 1978, and supersedes certificate of water right recorded at page 2573, Volume 3, 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.

And said right shall be subject to all other conditions and limitations contained in said decree. 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 February 11, 1987

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 55608

79350/SA T-3833

T-7524