

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALLEN HUGHES
ROUTE 2, BOX 2314
HEPPNER, OREGON 97836

confirms the right to use the waters of LITTLE BUTTER CREEK, a tributary of BUTTER CREEK, for the purpose of IRRIGATING 20.3 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at page 250. The date of priority is 1898.

The right is limited to not more than 0.41 CUBIC FOOT PER SECOND IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION, NW 1/4 NE 1/4, SECTION 13, T 2 S, R 28 E, W.M.

The points of diversion are located as follows:

SE 1/4 SW 1/4, SECTION 12, NW 1/4 NE 1/4, SECTION 13, T 2 S, R 28 E, W.M.; 360 FEET SOUTH & 1450 FEET EAST, 2620 FEET SOUTH & 3170 FEET EAST BOTH FROM NW CORNER OF SW 1/4 SW 1/4, SECTION 12.

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 a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

SW 1/4 NW 1/4 13.8 ACRES
SE 1/4 NW 1/4 3.0 ACRES
NE 1/4 SW 1/4 3.5 ACRES
SECTION 12
TOWNSHIP 2 SOUTH, RANGE 28 EAST, W.M.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered APRIL 19, 1978, and together with certificate 49207, supersedes certificate 2707, 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 above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date FEBRUARY 9, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 60011

T-3865A.BE