

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ANDERSON LAND AND LIVESTOCK
43 S.E. THIRD STREET
PENDLETON, OREGON 97801

confirms the right to use the waters of MCKAY CREEK, NORTH FORK MCKAY CREEK AND SOUTH FORK MCKAY CREEK, a tributary of UMATILLA RIVER, for the purpose of IRRIGATING 64.1 ACRES.

The right has been perfected under Permit 42032. The date of priority is AUGUST 5, 1977. The right is limited to not more than 0.81 CUBIC FOOT PER SECOND; BEING 0.48 CFS FROM MCKAY CREEK, 0.01 CFS FROM NORTH FORK MCKAY CREEK, AND 0.32 CFS FROM SOUTH FORK MCKAY CREEK, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NW 1/4 SW 1/4, SECTION 4, T 1 S, R 33 E, W.M.; NW 1/4 NW 1/4, SECTION 6, NW 1/4 SW 1/4, SECTION 7, T 1 S, R 34 E, W.M.; MCKAY CREEK - 1950 FEET NORTH AND 1350 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 4; NORTH FORK - 450 FEET SOUTH AND 600 FEET EAST FROM THE NW CORNER OF SECTION 6; SOUTH FORK - 1740 FEET NORTH AND 20 FEET EAST FROM THE SW CORNER OF SECTION 7.

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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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, and to which such right is appurtenant, is as follows:

MCKAY CRK. N.F. MCKAY CRK. S.F. MCKAY CRK.

NE 1/4 SW 1/4 1.8 ACRES
NW 1/4 SW 1/4 18.8 ACRES
SW 1/4 SW 1/4 4.5 ACRES
SE 1/4 SW 1/4 13.1 ACRES
SECTION 4

SE 1/4 NE 1/4 1.1 ACRES
NE 1/4 SE 1/4 0.2 ACRE
SECTION 12

TOWNSHIP 1 SOUTH, RANGE 33 EAST, W.M.

SEE NEXT PAGE

MCKAY CRK. N.F. MCKAY CRK. S.F. MCKAY CRK.

NW 1/4 NW 1/4
SECTION 6

0.5 ACRE

SW 1/4 NW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SECTION 7

1.2 ACRES
14.9 ACRES
8.0 ACRES

TOWNSHIP 1 SOUTH, RANGE 34 EAST, W.M.

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. The right 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 13, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 63285

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