

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OSCAR D. MCCARTY
HC 70 BOX 312
ECHO, OREGON 97826

confirms the right to use the waters of BUTTER CREEK, a tributary of UMATILLA RIVER, for SUPPLEMENTAL IRRIGATION OF 189.3 ACRES.

This right was perfected under Permit 26080. The date of priority is MARCH 23, 1959. This right is limited to 2.60 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 14, T 2 N, R 27 E, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FIFTIETH of one cubic foot per second (or its equivalent) and 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

| | |
|-----------------------------------|------------|
| SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 17.7 ACRES |
| SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 38.2 ACRES |
| NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 11.8 ACRES |
| SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 18.3 ACRES |
| NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 32.0 ACRES |
| NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 36.6 ACRES |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 32.0 ACRES |
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 2.7 ACRES |

SECTION 14
TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 31211, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCTOBER 12, 1992, approving Transfer Application 6433.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed OCTOBER 26, 1992.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67900.

T-6433E.LHN