

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ERNEST O'DEANE FARIS
1812 SW 45TH STREET
PENDLETON, OREGON 97801

confirms the right to use the waters of MCKAY CREEK, a tributary of UMATILLA RIVER, for IRRIGATION OF 3.1 ACRES.

This right was 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 127. The date of priority is APRIL, 1902.

The use is limited to 0.039 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source. The quantity of water used at the new point of diversion shall not exceed 0.039 cubic foot per second and that the quantity of water diverted at the new point of diversion together with that diverted at the old points of diversion shall not exceed the quantity that is available at the old points of diversions and provided further that the water diverted at the new point of diversion will be shared proportionally with the remaining acres under Certificate 57568 if there is a shortage.

The point of diversion is located as follows:

LOT 16 (SE 1/4 SE 1/4), SECTION 1, T 1 S, R 32 E, W.M.; 1191 FEET NORTH AND 38 FEET WEST FROM THE SE CORNER OF SECTION 1.

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

LOT 16 (SE 1/4 SE 1/4) 3.1 ACRES
SECTION 1
TOWNSHIP 1 SOUTH, RANGE 32 EAST, W.M.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the user is entitled;

the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

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This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 30, 1988, and together with Certificate 57568, supersedes Certificate 39852, 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 is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed
DECEMBER 10, 1992.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68052.

T-6017.DSM