

STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM MORTON AND JEANETTE ELDER  
PENDLETON, OREGON 97801

confirms the right to use the waters of MCKAY CREEK, a tributary of the UMATILLA RIVER, for IRRIGATION OF 22.89 ACRES, DOMESTIC AND STOCK USE.

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 15, at Page 454. The date of priority is JANUARY 1904. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.29 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:

SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 34, TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.;  
2700 FEET SOUTH AND 1900 FEET EAST FROM THE NORTHWEST CORNER, SECTION 34.

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:

NW $\frac{1}{4}$  NW $\frac{1}{4}$  12.89 ACRES  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  10.0 ACRES  
SECTION 34  
TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 55330, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 26 1997, approving Transfer Application 7173.

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 NOV 26 1997.

SUPERSEDED BY  
CERT. NO. 85452

Ms. MARTHA O. PAGEL  
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75272.

T-7173.BW