

STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J. M. MARLATT  
MILTON-FREEWATER, OR 97862

confirms the right to use the water of DUGGER CREEK, a tributary of PINE CREEK, for IRRIGATION of 12.8 ACRES, DOMESTIC AND STOCK USE.

The right was confirmed by decree of Circuit Court of the State of Oregon for Umatilla County and the said decree entered at Salem, in the Order Record of the Water Resources Director in Volume 3, Page 321. The date of priority is 1899. The amount of water to which such right is entitled for the purposes aforesaid is limited to an amount actually beneficially used for said purposes and shall not exceed a rate of flow of 0.17 CUBIC FOOT PER SECOND from May 1<sup>st</sup> to September 1<sup>st</sup> of each year or its equivalent in case of rotation; the total quantity diverted during each irrigation season not to exceed 38.4 acre feet; and shall be subject to all other conditions and limitations contained in said decree.

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

NE¼ NW¼ 12.8 ACRES, DOMESTIC, STOCK  
SECTION 25  
TOWNSHIP 6 NORTH, RANGE 34 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 46364, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered March 22, 1999, canceling a portion of said water right.

The issuance of this superseding certificate does not confirm the status of the water right in regards 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 March 22, 1999.

*(s)* MARTHA O. PAGEL

Martha O. Pagel, Director