

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

U.S. BUREAU OF RECLAMATION
1150 NORTH CURTIS ROAD
BOISE, IDAHO 83706-1234

confirms the right to use the waters of McKAY RESERVOIR CONSTRUCTED UNDER PERMIT R-584, a tributary of UMATILLA RIVER, for INSTREAM FISHERY ENHANCEMENT.

This right was perfected under Permit 51676. The date of priority is JUNE 18, 1993. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 12,000 ACRE-FEET STORED WATER ONLY EACH YEAR, 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 1/4 SE 1/4, SECTION 34, TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.; 1200
FEET NORTH AND 220 FEET EAST FROM THE SOUTH 1/4 CORNER, SECTION 34.

The Bureau of Reclamation (or owner/operator of the reservoir) shall notify the watermaster 48 hours in advance of the release of the water, or lesser time as approved by the watermaster, prior to the use of water under this right.

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:

UMATILLA RIVER FROM THE MOUTH OF McKAY CREEK, (SE 1/4 NW 1/4,
SECTION 8, T 2 N, R 32 E, W.M.) TO THE MOUTH OF THE UMATILLA RIVER,
(NW 1/4 NE 1/4, SECTION 18, T 5 N, R 28 E, W.M.) AND McKAY CREEK FROM
McKAY DAM (NW 1/4 SE 1/4, SECTION 34, T 2 N, R 32 E, W.M.) TO THE MOUTH
OF McKAY CREEK.

Measurement, recording and reporting conditions:

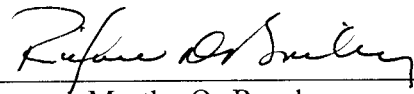
- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 APRIL 19, 1999.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76086.