

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRANK C. TUBBS  
50326 TUBBS RANCH ROAD  
ADAMS, OREGON 97810

confirms the right to use the waters of A WELL in the McKAY CREEK BASIN for IRRIGATION OF 3.66 ACRES.

This right was perfected under Permit G-10905. The date of priority is JANUARY 30, 1989. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.046 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SW 1/4 SW 1/4, SECTION 34, TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.; 325 FEET NORTH AND 800 FEET EAST OF THE SW CORNER OF SECTION 34.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre 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:

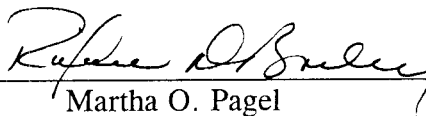
SW 1/4 SW 1/4 3.10 ACRES  
SE 1/4 SW 1/4 0.56 ACRE  
SECTION 34  
TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. The water user shall maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

This right shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights as well as prior ground water rights of others.

WITNESS the signature of the Water Resources Director, affixed OCTOBER 29, 1999.

  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76324.

G-11777.SB