

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TERMINAL DITCH COMPANY
P.O. Box 284
UMATILLA, OR 97882

confirms the right to use the waters of UMATILLA RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION OF 11.1 ACRES AND INDUSTRIAL 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 426. The date of priority is 1903.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.75 CUBIC FOOT PER SECOND(CFS); BEING 0.28 CFS FOR IRRIGATION AND 0.47 CFS FOR INDUSTRIAL USE, or its equivalent in case of rotation, measured at the point of diversion from the source. The use of water under this right is limited to the irrigation season of each year.

The point of diversion is located as follows:

BROWNELL DITCH - NW 1/4 NW 1/4, SECTION 21, TOWNSHIP 5 NORTH, RANGE 28 EAST, W.M.; 1500 FEET NORTH AND 290 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 21.

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-FORTIETH 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 6.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

INDUSTRIAL USE - JONES-SCOTT

N 1/2 SW 1/4
SW 1/4 SW 1/4
SECTION 16
TOWNSHIP 5 NORTH, RANGE 28 EAST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

T-5285.SB

Certificate Number 79833

IRRIGATION

NE 1/4 NE 1/4	8.3 ACRES (TAX LOT 100 - HAMPTON)
NW 1/4 NW 1/4	0.2 ACRE (TAX LOT 6401 - ANDERSON)
NW 1/4 NW 1/4	0.2 ACRE (TAX LOT 6801 - CACK)
NW 1/4 NW 1/4	0.2 ACRE (TAX LOT 6900 - TRANER)
NW 1/4 NW 1/4	0.4 ACRE (TAX LOT 3906 & 3902 - STEVENS)
NW 1/4 NW 1/4	0.3 ACRE (TAX LOT 3900- BOESCH)
NW 1/4 NW 1/4	0.3 ACRE (TAX LOT 3901 - GREEN)

SECTION 16

NE 1/4 NE 1/4 1.2 ACRES (TAX LOT 700 - WRIGHT)

SECTION 17

TOWNSHIP 5 NORTH, RANGE 28 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.

The type and plans of the measuring device shall be approved by the Watermaster before the beginning of construction work and the in-line flow meter, weir or other suitable device be installed under the general supervision of the Watermaster.

This certificate is issued to confirm a change in USE AND PLACE OF USE approved by an order of the Water Resources Director entered MAY 28, 1986, and supersedes the right described by the Supplemental Decree of the Circuit Court for Umatilla County, entered September 1, 1961, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Umatilla River and it's tributaries tabulated at Page 426, Volume 15 in the name of R. V. Winchell.

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 January 10, 2003.



Paul R. Cleary

 Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79833.

T-5285.SB