

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LYLE L. EARLLEY AND DALE J. HALVERSON
412 SE 10TH STREET
PENDLETON, OREGON 97801

confirms the right to use the waters of TWO WELLS in the TUTUILLA CREEK BASIN for IRRIGATION OF 9.85 ACRES.

This right was perfected under Permit G-5728. The date of priority is DECEMBER 27, 1972. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.08 CUBIC FOOT PER SECOND (CFS), BEING 0.045 CFS FROM WELL 1 AND 0.035 CFS FROM WELL 2, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 22, T 2 N, R 32 E, W.M.; WELL 1 - 1000 FEET NORTH AND 220 FEET WEST; WELL 2 - 580 FEET NORTH AND 330 FEET WEST; BOTH FROM THE SE CORNER OF SECTION 22.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, 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:

WELL 1

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.05 ACRES
SECTION 22

WELL 2

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.80 ACRES
SECTION 22

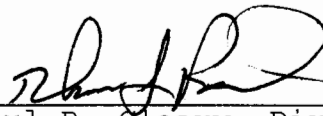
TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 76568, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 15 2004, approving Transfer Application 9471

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.

WITNESS the signature of the Water Resources Director,
affixed JAN 15 2004.


Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80555.