

STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GALLAHER FARM COMPANY  
P.O. BOX 502  
MILTON-FREEWATER, OREGON 97862

confirms the right to use the waters of DUGGER CREEK, a tributary of PINE CREEK, for IRRIGATION OF 45.12 ACRES, DOMESTIC AND STOCK 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 3, at Page 321. The dates of priority are 1890 FOR 8.41 ACRES, 1894 FOR 3.55 ACRES, 1900 FOR 19.95 ACRES, AND 1908 FOR 13.21 ACRES.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed a rate of flow of 0.57 cubic foot per second from May 1 to September 1 of each year, or its equivalent in case of rotation, measured at the point of diversion from the source. The total quantity diverted during each irrigation season not to exceed 135.4 acre-feet.

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

	<u>1890</u>	<u>1894</u>	<u>1900</u>	<u>1908</u>	
NE¼ NE¼	3.10				ACRES
NW¼ NE¼				4.50	ACRES
SW¼ NE¼				7.67	ACRES
SE¼ NE¼	5.31	3.55		1.04	ACRES
NE¼ SE¼			6.85		ACRES
NW¼ SE¼			13.10		ACRES

SECTION 25  
TOWNSHIP 6 NORTH, RANGE 34 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 78923, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered January 27, 2006, approving Transfer Application 9038.

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 27, 2006.

Phillip C. Ward  
FOR Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81606.