

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RALPH W. SMUCKAL
RT. 2, BOX 93
MILTON-FREEWATER, OREGON 97862

confirms the right to use the waters of DUGGER CREEK, a tributary of PINE CREEK, for SUPPLEMENTAL IRRIGATION OF 28.2 ACRES.

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 date of priority is June 19, 1911.

The amount of water to which this right is entitled is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.35 cubic foot per second from May 1 to September 1 of each year, or its equivalent in case of rotation; the total quantity diverted during each irrigation season not to exceed 84.6 acre-feet, if available at the original point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 30, T. 6 N., R. 35 E., W.M.; HODGEN DITCH - 1280 FEET SOUTH AND 1240 FEET EAST FROM THE CENTER OF SECTION 30.

The point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 30, T. 6 N., R. 35 E., W.M.; SMUCKAL DITCH - 840 FEET SOUTH AND 540 FEET EAST FROM THE CENTER OF SECTION 30.

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

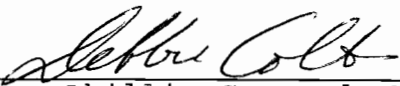
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 28.2 ACRES
SECTION 30
TOWNSHIP 6 NORTH, RANGE 35 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 53664, 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.


FOR Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81807.