

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM MORTON ELDER AND JEANETTE ELDER
PENDLETON, OR 97801

confirms the right to use the waters of McKAY CREEK, a tributary of the UMATILLA RIVER, for IRRIGATION,.

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 454. The date of priority is JANUARY, 1904.

The right is limited to not more than 0.3145 cubic foot per second, subject to the provisions of paragraph 33 of said decree.

The point of diversion is located as follows:
ELDER DITCH: 90 FEET SOUTH AND 760 FEET WEST FROM THE CENTER OF SECTION 34 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 34, TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.;

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:

APPEAL RIGHTS

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 must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

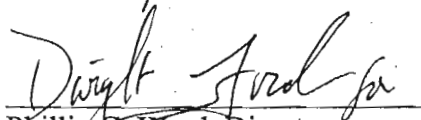
ALBERT MORRIS	TL 205	NW¼ NW¼	3.3 ACRES
LARRY AND SUE SMITH	TL 207	NW¼ NW¼	2.8 ACRES
TERRY STARR	TL 211	NW¼ NW¼	1.5 ACRES
DENNIS PAPINEAU	TL 208	NW¼ NW¼	2.4 ACRES
NORMAN BEEN	TL 213	NW¼ NW¼	1.0 ACRES
Zeckman Construct	TL 212	NW¼ NW¼	1.7 ACRES
Zeckman Construct	TL 215	NW¼ NW¼	1.8 ACRES
Theodore & Pam Fox	TL 216	NW¼ NW¼	1.0 ACRES
Zeckman Construct	TL 215	SW¼ NW¼	0.1 ACRES
Theodore & Pam Fox	TL 216	SW¼ NW¼	0.7 ACRES
Robert Collins	TL 203	SW¼ NW¼	4.2 ACRES
Robert Collins	TL 202	SW¼ NW¼	5.0 ACRES

SECTION 34
TOWNSHIP 2 NORTH RANGE 32 EAST, W.M.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights.

This certificate is issued to correctly describe the location of the point of diversion, and to clarify and refine the location of a water right according to ORS 540.560. This certificate includes 2.61 acres of land for which a change in point of diversion was approved under transfer applications T-5777 and T-5778, but which have reverted to the original point of diversion. This certificate supersedes water right certificate 75272.

Issued: April 2, 2009


Phillip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates numbered 85452.