

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF PENDLETON
500 SW DORION AVE
PENDLETON OR 97801

confirms the right to use the waters of NORTH FORK UMATILLA RIVER, a tributary of the UMATILLA RIVER for MUNICIPAL USE.

This right was perfected under Permit 458. The date of priority is NOVEMBER 12, 1910. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 7.2 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
2 N	32 E	WM	12	NW NE			297 FEET SOUTH & 679 FEET EAST FROM N1/4 CORNER, SECTION 12

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

MUNICIPAL USE
CITY OF PENDLETON

When the Umatilla River flows are less than 250 cfs measured at the Umatilla River Pendleton gage, (PDTO, Gage #14021000), or an equivalent gage approved by the Oregon Water Resources Department, the City will forgo use of its surface water rights with priority dates of 1910 and junior and allow this water to remain instream.

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted at the point of diversion.

The water user shall maintain and operate fish screening devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion

Water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

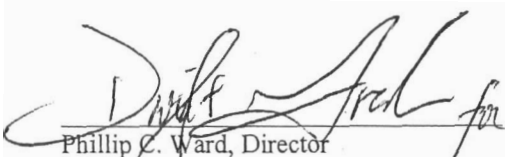
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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 of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued JAN 29 2010



Phillip C. Ward, Director
Water Resources Department