

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THE MARION JACK IMPROVEMENT DISTRICT
c/o TERRY WARHOL, MANAGER
71498 SW LAKE DRIVE
PENDLETON, OR 97801

confirms the right to use the waters of the McKAY CREEK, a tributary of the UMATILLA RIVER, for IRRIGATION OF 138.99 ACRES.

This right was perfected under Permit 1540. The date of priority is JANUARY 3, 1912. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.73 CUBIC FEET PER SECOND if available at the original point of diversion from the source.

The point of diversion is located as follows:

TWP	RNG	MER	SEC	Q - Q	MEASURED DISTANCES
2 N	32 E	WM	34	NW SE	580 Feet South and 580 Feet East of the Center of Section 34

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre.

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

LEGAL DESCRIPTION						SUPPLEMENTAL INFORMATION		
TWP	RNG	MER	SEC	Q - Q	ACRES	ACRES	TAX LOT	USER
2 N	32 E	WM	27	NE SW	3.61	0.96	206	GRAYBEAL
						0.36	1100	GERBERDING
						0.28	1200	GEORGE
						1.33	1300	WARD
						0.68	1400	ASHCRAFT
2 N	32 E	WM	27	NW SW	9.25	1.01	100	DAVIS
						1.10	200	DICKEY
						3.45	206	GRAYBEAL

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.

LEGAL DESCRIPTION						SUPPLEMENTAL INFORMATION		
TWP	RNG	MER	SEC	Q-Q	ACRES	ACRES	TAX LOT	USER
						1.46	300	SWEET
2 N	32 E	WM	27	NW SW		0.63	301	SWEET
						1.60	305	SWEET
2 N	32 E	WM	27	SW SW	31.48	3.40	100	MONAHAN
						0.11	200	DICKEY
						2.29	200	SWAGGART
						2.23	201	COCKBURN
						2.34	202	PATTON
						2.15	300	MONAHAN
						0.60	301	SWEET
						2.39	305	SWEET
						2.41	400	SCHIMEL
						3.89	500	WHITTEN
						6.65	600	BARILETTI
						1.06	1800	TERIBURY
						1.28	1900	NEIL
						0.30	3100	GREEN MEADOWS
						0.17	3300	TABER
						0.16	3400	GARD
						0.05	5100	PITNER
2 N	32 E	WM	27	SE SW	19.30	0.61	800	HODGEN
						0.58	900	BOSTWICK
						0.48	1100	MORRIS
						0.49	1101	ALDERMAN
						0.20	1200	GEORGE
						0.48	1200	TOWNE
						0.54	1300	WALDMAN
						0.51	1400	ASHCRAFT
						1.03	1400	ROBINSON
						1.00	1500	CUELLAR
						1.28	1600	BOSTWICK
						1.07	2100	GREEN
						0.25	2300	SMITH
						0.21	2400	SMITH
						0.04	3300	TABER
						0.12	3400	GARD
						0.28	3500	COOK
						0.18	3600	GRIFFITH
						0.15	3700	OVERSTREET
						0.17	3800	KELLY
						0.21	3900	GUIWITTS
						0.21	4000	BAEHMANN
						0.16	4100	GERATHS
						0.22	4200	MORRISON
						0.27	4300	BARILETTI
						0.26	4400	BARILETTI
						0.22	4500	HAGUEWOOD
						0.19	4600	WALLIS
						0.19	4700	MILTENBERGER

LEGAL DESCRIPTION						SUPPLEMENTAL INFORMATION		
TWP	RNG	MER	SEC	Q - Q	ACRES	ACRES	TAX LOT	USER
						0.20	4800	BERHEIM
2 N	32 E	WM	27	SE SW		0.22	4900	VAN DORN
						0.25	5000	PITNER
						0.20	5100	PITNER
						0.20	5300	GUIDRY
						0.17	5400	MATHSON
						0.15	5500	IRVING
						0.12	5600	SHOWAKER
						0.16	5700	JONES
						0.10	5800	GILLETTE
						0.18	5900	PETTYJOHN
						0.17	6000	COOK
						5.58	6100	STANHOPE
2 N	32 E	WM	28	SE SE	0.82	0.30	100	WHITTEN
						0.10	201	COCKBURN
						0.42	202	PATTON
2 N	32 E	WM	34	NW NE	15.6	1.66	100	FERGUSON
						1.01	200	GERBER
						0.83	201	COZBY
						1.72	300	CHASE
						0.60	400	MILTENBERGER
						0.42	401	HALE
						1.32	500	MILTENBERGER
						0.36	501	KINSLEY
						0.28	502	SENER
						0.42	600	OLES
						0.31	601	WELLINGTON
						0.52	700	McALLISTER
						0.56	800	FOSDICK
						1.18	900	HALE
						2.52	1000	STANLEY
						1.89	1001	WRIGHT
2 N	32 E	WM	34	SW NE	17.34	2.77	600	BURNS
						0.81	700	WELLS
						0.84	701	MAHONEY
						0.87	702	PETERSON
						2.67	900	BURTON
						1.75	901	KENNEDY
						1.87	1001	DILLAVOU
						0.82	1002	BOYD
						1.59	1004	COOPER
						1.98	1005	WITCHER
						1.37	1100	MOORE
2 N	32 E	WM	34	NE NW	27.21	1.81	100	MICHAEL
						1.60	200	MICHAEL
						0.52	100	HART
						1.29	300	WHITE
						1.19	400	GAYLORD
						1.12	500	LICURSE
						1.19	600	LICURSE

LEGAL DESCRIPTION						SUPPLEMENTAL INFORMATION		
TWP	RNG	MER	SEC	Q - Q	ACRES	ACRES	TAX LOT	USER
						0.63	700	PENCZAK
2 N	32 E	WM	34	NE NW		0.33	701	FNMA
						0.04	800	PETERSON
						1.10	800	HERBURGER
						1.71	900	SEWELL
						2.08	901	WENTZ
						1.93	902	WENTZ
						1.50	903	MILLER
						1.57	904	SMITH
						1.72	905	OLSON
						1.34	906	THOMPSON
						1.67	907	SMITH
						0.83	908	THACKER
						1.36	909	SCHOLL
						0.19	1700	INGRAM
						0.49	1800	HERNANDEZ
2 N	32 E	WM	34	SE NW	14.38	0.32	100	HART
						0.80	200	DENTON
						1.03	300	WARHOL
						0.94	400	WARHOL
						1.05	500	WARHOL
						0.99	600	ROSE
						0.94	700	ACEVEDO
						0.63	800	PETERSON
						0.93	900	HARRISON
						1.03	1000	YOUNCS
						1.11	1100	ROSE
						0.42	1200	ROSE
						0.33	1400	ROSE
						0.92	1500	COOLEY
						0.98	1600	COURTNEY
						0.15	1700	INGRAM
						0.61	1800	HERNANDEZ
						0.59	1900	UNDERWOOD
						0.01	2000	WOODS
						0.03	2700	COVLIN
						0.57	2800	COVLIN
TOTAL:					138.99	138.99		

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered August 23, 2005, at Special Order Volume 65, Pages 85 through 94, approving Transfer Application T-9645. This certificate is also issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered August 11, 2005, at Special Order Volume 66, Page 150, approving Transfer Application T-9766. This certificate supersedes 81502.

The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described, and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

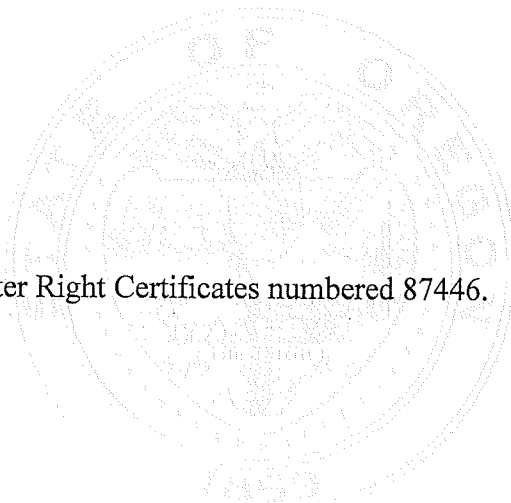
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

Issued

February 29, 2012



Dwight W. French,
Administrator Water Right Services, for
Phillip C. Ward, Director
Oregon Water Resources Department



Recorded in State Record of Water Right Certificates numbered 87446.