

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CUNNINGHAM SHEEP CO.  
PO BOX 1186  
PENDLETON OR 97801

confirms the right to use the waters of UMATILLA RIVER, tributary to COLUMBIA RIVER for IRRIGATION of 124.9 ACRES.

This right was confirmed by decrees of the Circuit Court of the State of Oregon for Umatilla County dated September 9, 1916 and September 1, 1961. The decrees are of record at Salem, in the Order Record of the Water Resources Director and the rights are tabulated at Volume 3, at Page 240, and Volume 15, Page 430. The date of priority is 1902.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.01 CUBIC FEET PER SECOND (cfs) FOR THE SEPTEMBER 9, 1916 DECREED LANDS AND 0.55 CFS FOR THE SEPTEMBER 1, 1961 DECREED LANDS, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

| Twp | Rng  | Mer | Sec | Q-Q   | Measured Distances   |
|-----|------|-----|-----|-------|--|
| 2 N | 30 E | WM  | 5   | SW SE | ORIGINAL - SOUTH 74 DEGREES 12 MINUTES EAST, 4150 FEET FROM WEST 1/4 CORNER, SECTION 5 |
| 2 N | 30 E | WM  | 5   | SE NW | T- 4763 - 1800 FEET SOUTH AND 1360 FEET EAST FROM NW CORNER, SECTION 5                 |
| 2 N | 30 E | WM  | 6   | NE NE | NEW - 1020 FEET SOUTH AND 1150 FEET WEST FROM NE CORNER, SECTION 6                     |

A description of the place of use is as follows:

| Decree Date - September 9, 1916 |      |     |     |       |       |
|---------------------------------|------|-----|-----|-------|-------|
| Twp                             | Rng  | Mer | Sec | Q-Q   | Acres |
| 2 N                             | 30 E | WM  | 5   | NW NW | 2.0   |
| 2 N                             | 30 E | WM  | 5   | SW NW | 35.0  |
| 2 N                             | 30 E | WM  | 5   | SE NW | 14.0  |
| 2 N                             | 30 E | WM  | 5   | NE SW | 21.0  |
| 2 N                             | 30 E | WM  | 5   | NW SW | 3.0   |
| 2 N                             | 30 E | WM  | 6   | NE NE | 2.0   |
| 2 N                             | 30 E | WM  | 6   | SE NE | 4.0   |

**NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

| Decree Date – September 1, 1961 |      |     |     |       |       |
|---------------------------------|------|-----|-----|-------|-------|
| Twp                             | Rng  | Mer | Sec | Q-Q   | Acres |
| 2 N                             | 30 E | WM  | 5   | NE SW | 0.8   |
| 2 N                             | 30 E | WM  | 5   | NW SW | 4.4   |
| 2 N                             | 30 E | WM  | 5   | NW SE | 4.8   |
| 2 N                             | 30 E | WM  | 6   | NE NE | 1.7   |
| 2 N                             | 30 E | WM  | 6   | NW NE | 0.2   |
| 2 N                             | 30 E | WM  | 6   | SW NE | 14.5  |
| 2 N                             | 30 E | WM  | 6   | SE NE | 17.5  |

The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water available from the original point of diversion.

The water user shall maintain an in-line flow meter, a weir, or other suitable measuring device.

This certificate is issued to confirm an Additional Point of Diversion approved by an order of the Water Resources Director entered June 11, 1984, at Special Order Volume 38, Page 296, approving Transfer Application 5463, and together with Certificate 87710, describes the rights modified under Transfer Application 4763, approved by an order of the Water Resources Director entered August 10, 1981, at Special Order Volume 35, Page 88 approving an Additional Point of Diversion.

This certificate is issued to correct a scrivener's error and supersedes certificate 87493.

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 shall be subject to all other conditions and limitations contained in said decree.

Issued           AUG 16 2012          

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