

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION
46411 TIMINE WAY
PENDLETON OR 97801

confirms the right to use the waters of CATHERINE CREEK, tributary to the GRANDE RONDE RIVER for IRRIGATION of 43.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Union County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 8, at Page 1. The date of priority is 1866.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed THREE ACRE FEET PER ACRE IN ANY IRRIGATION SEASON, DIVERTED AT A RATE OF NOT TO EXCEED ONE-FORTIETH OF A CUBIC FOOT PER SECOND PER ACRE.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	40 E	WM	34	SE SW	POD 1 – SAMS AND MILES DIVERSION (LOCALLY KNOWN AS SMITH DIVERSION) - 9035 FEET SOUTH AND 8065 FEET EAST FROM NW CORNER, SECTION 28

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	40 E	WM	28	SW SE	17.5
4 S	40 E	WM	28	SE SE	2.0
4 S	40 E	WM	33	NE NE	20.0
4 S	40 E	WM	33	NW NE	1.5
4 S	40 E	WM	33	SE NE	2.0

The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	40 E	WM	34	SW NW	E.A. FUHER DITCH AKA KINSLEY POD 1 - 7250 FEET SOUTH AND 5740 FEET EAST FROM NW CORNER, SECTION 28

Water use measurement conditions:

- A. The water user shall maintain the weir, submerged orifice or another suitable measuring device, as approved by the Director, at the new point of diversion (Sam and Miles diversion), in good working order.

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 183.482. 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.

- B. The water user shall allow the Watermaster access to the measuring device; provided however, where the measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.

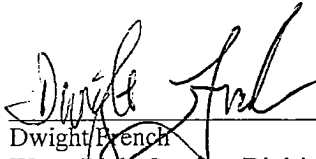
The water user shall maintain the headgate as required by the Department.

The water user shall operate and maintain the fish screen consistent with Oregon Department of Fish and Wildlife (ODFW) operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

The right to use 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.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered AUGUST 15, 2014, at Special Order Volume 93, Page 111, approving Transfer Application 11548, supersedes Certificate 6271, State record of Water Right Certificates.

Issued SEP 12 2018



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department