

STATE OF OREGON
COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That WILLIAM ELLENBERGER

of Pilot Rock, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Birch Creek a tributary of Umatilla River for the purpose of Irrigation under Permit No. 12666 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 27, 1937;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.47 cubic foot per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, Township 1 South, Range 32 East, W. M.

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-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed $\frac{1}{4}$ acre feet per acre for each acre irrigated during the irrigation season of each year, and shall be still further limited to a diversion of 0.47 cubic foot per second,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

3.4 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
14.0 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
10.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 9
Township 1 South, Range 32 East, W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 20th day of January, 1937.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 11, page 13399