

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That THE CUNNINGHAM SHEEP AND LAND COMPANY

of Pilot Rock, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of West Birch Creek, a tributary of Birch Creek, for the purpose of the irrigation of 184 acres of land

under Enlargement Permit No. 36 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered

of record in the Record of Proceedings of said Board, at Salem, in Volume 1, at page 271, on the 7th day of December, 1917; that the priority of

the right hereby confirmed dates from September 17, 1909; 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 2.30 cubic feet per second, or its equivalent in case of rotation. The use hereunder shall conform to any reasonable rotation system ordered by the proper State Officer.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 4 acres in the Northeast quarter of Southeast quarter; 29 acres in the Southeast quarter of Southeast quarter of Section Twenty-five (25); 6 acres in the Northeast quarter of Northeast quarter and 6 acres in the Northwest quarter of Northeast quarter of Section Thirty-six (36), Township One (1) South, Range Thirty-one (31); 6 acres in the Southeast quarter of Northwest quarter; 4 acres in the Southwest quarter of Northwest quarter; 34 acres in the Northeast quarter of Southwest quarter; 32 acres in the Northwest quarter of Southwest quarter; 22 acres in the Southeast quarter of Southwest quarter and 34 acres in the Southwest quarter of Southwest quarter of Section Thirty (30), and 7 acres in the Northwest quarter of Northwest quarter of Section Thirty-one (31), Township One (1) South, Range Thirty-two (32), All East of Willamette Meridian, in Umatilla County, Oregon.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

Witness the seal and signature of the STATE

WATER BOARD affixed this 9th day of January, 1918.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By JOHN H. LEWIS, State Engineer, President

Attest: R. W. POTTER, Secretary

Recorded in State Record of Water Right Certificates, Volume 3, Page 1928.