

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That F. W. FITZPATRICK

of Lostine, State of Oregon, 97857, has a right to the use of the waters of South Fork of Wallowa River, a tributary of Wallowa River and Wallowa River

a tributary of Grand Ronde River for the purpose of irrigation of 8.0 acres and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at page 166; that the priority of the right thereby confirmed dates from 1896 for Tract No. 1 and 1890 for Tract No. 2

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1½ acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter, not to exceed 1 acre foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in said decree.

The point of diversion is located in the SE¼ NE¼, Section 25, T. 1 S., R. 43 E., W.M., Fitzpatrick Ditch--2300 feet South and 350 feet West from the NE Corner, Section 25.

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

Tract No. 1, South Fork Wallowa River:
Lots 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13 and 14 in Block D,
Lots 13 and 14 in Block G,
Town of Lostine and
Lots 8, 9 and 10 in Block 3,
Bowmans Addition to Lostine, Oregon

Tract No. 2, Wallowa River:
1.0 acre SW¼ NW¼
4.5 acres SE¼ NW¼
Section 24
T. 1 S., R. 43 E., W. M.

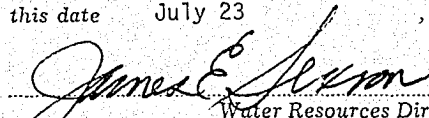
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 3025, Volume 4, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on May 17, 1977, approving transfer application No. 3059.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree. 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 Water Resources Director, affixed

this date July 23, 1979


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 41, page 48404