

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JAMES MCBROOM

of Route 2, Box 123, Pendleton, State of Oregon 97801, has
 a right to the use of the waters of Birch Creek

a tributary of Umatilla River for the purpose of
 irrigation of 80.6 acres, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Umatilla County, and the said decree entered of record at Salem, in the Order Record of
 the WATER RESOURCES DIRECTOR, in Volume 3, at page 127; that the priority of the
 right thereby confirmed dates from 1895 for 40.2 acres and 1910 for 40.4 acres

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 1.0 cubic foot
 per second, subject to the provisions of paragraph 33 of said decree and if
 available at the original point of diversion, Reith Ditch and Johns Ditch.

The point of diversion is located in the SE 1/4 NW 1/4, Section 19, T2N, R32E, WM,
 Reith and Johns Ditches, NW 1/4 NW 1/4, as projected within J. Whitney DLC 37,
 Section 19, T2N, R32E, WM, SE 1/4 SE 1/4, as projected within J. Whitney
 DLC 37, Section 13, T2N, R31E, WM, 1140 feet South and 790 feet East, 320 feet*
 A description of the place of use under the right, and to which such right is appurtenant, is as
 follows:

*North and 270 feet West both from NW Corner, Section 19.

SEE NEXT PAGE

1895
7.6 acres SE 1/4 SE 1/4 as projected within J. Whitney DLC 37
Section 13

10.0 acres NE 1/4 NE 1/4 as projected within J. Whitney DLC 37
Section 24
Township 2 North, Range 31 East, WM

10.9 acres NW 1/4 NW 1/4 as projected within J. Whitney DLC 37
10.5 acres SW 1/4 NW 1/4 as projected within J. Whitney DLC 37
1.0 acre SW 1/4 NW 1/4
0.2 acre NW 1/4 SW 1/4
Section 19
Township 2 North, Range 32 East, WM

1910
1.9 acres SE 1/4 SE 1/4 as projected within J. Whitney DLC 37
4.0 acres Lot 9 (SE 1/4 SE 1/4)
Section 13
Township 2 North, Range 31 East, WM

5.2 acres SW 1/4 SW 1/4 as projected within J. Whitney DLC 37
6.1 acres SW 1/4 SW 1/4
Section 18

0.2 acre NW 1/4 NW 1/4
12.1 acres NW 1/4 NW 1/4 as projected within J. Whitney DLC 37
2.3 acres SW 1/4 NW 1/4 as projected within J. Whitney DLC 37
8.6 acres SW 1/4 NW 1/4
Section 19
Township 2 North, Range 32 East, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 2567, Volume 3, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered April 29, 1980, NOR modified by the provisions of an order of the Water Resources Director entered July 25, 1980 and is issued to confirm a change in place of use approved by the order entered July 25, 1980 and supersedes Certificate 2567.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 10, 1985 .

...../s/ William H. Young.....
Water Resources Director