

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This is to certify, That FRANKLIN HOEFT

of Route 2, Box 108, Pendleton, State of Oregon 97801, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Birch Creek

a tributary of Umatilla River for the purpose of irrigation of 20.0 acres

under Permit No. 24830 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 January 29, 1957

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 0.38 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 SE 1/4 NW 1/4 Section 27, T1N, R32E, WM; 1020 feet North and 220 feet West from the Center 1/4 corner Section 27.

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 4 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year

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: 10.0 acres NW 1/4 NE 1/4 10.0 acres NW 1/4 SE 1/4 Section 27 Township 1 North, Range 32 East, WM

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered July 1, 1980 and together with certificate of water right recorded at page 51169, Volume 45, State Record of Water Right Certificates, supersedes Certificate 30426.

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.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. April 4, 1986

/s/ William H. Young Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 49, page 54119