

STATE OF OREGON

COUNTY OF

UMATILLA

CERTIFICATE OF WATER RIGHT

This is to certify, That BEN A. WEINKE

of Route 2, Box 96, 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 10.0 acres

under Permit No. 5067 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 March 30, 1921

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

0.13 cubic foot per second, if available at the original point of diversion, NW 1/4 NE 1/4, Section 34, T1N, R32E, WM; Weinke Ditch - 520 feet South and 120 feet East from N 1/4 Corner, Section 34

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 1/4 SW 1/4, SW 1/4 SE 1/4 Section 27, SE 1/4 NW 1/4, Section 34, T1N, R32E, WM; 750 feet South and 2,720 feet West from E 1/4 Corner, Section 27, 450 feet North and 2,350 feet West from SE Corner, Section 27, 1,150 feet North and 110 feet West from C 1/4 Corner, Section 34

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 ----- of one cubic foot per second per acre,

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 SE 1/4 SW 1/4 Section 27 Township 1 North, Range 32 East, WM

This certificate is issued to confirm changes in points of diversion approved by an order of the Water Resources Director entered September 8, 1980 and supersedes Certificate of Water Right recorded at page 3478, Volume 4, State Record of Water Right Certificates.

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. August 15, 1986

./s/ William H. Young Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 54764