

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 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

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 1908

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 0.125 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 subject to the provisions of paragraph 33 of said decree

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, *

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

* Section 34

5.0 acres NE 1/4 SW 1/4
5.0 acres SW 1/4 SE 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 together with Certificates of Water Right recorded at pages 54767, 54768, 54769, Volume 50, State Record of Water Right Certificates supersedes Certificate 2579.

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 August 15, 1986

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 54766