

STATE OF OREGON

COUNTY OF

UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

ALBERT ELLENBERGER

of Route 2, Box 98, Milton-Freewater, State of OR 97862, has a right to the use of the waters of Dry Creek

a tributary of Pine Creek for the purpose of irrigation of 24.5 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 7, at page 148; that the priority of the right thereby confirmed dates from 1895

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 acre-foot per acre during any 30 day period, nor 3.0 acre-feet per acre during the irrigation season beginning April 1st and ending October 1st, if available at the original point of diversion in the NW 1/4 NE 1/4, Section 36, T6N, R34E, WM; 400 feet South and 2000 feet West from NE corner Section 36. The point of diversion is located in the SW 1/4 SE 1/4, Section 25, T6N, R34E, WM; 20 feet North and 2490 feet West from SE corner Section 25.

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

24.5 acres SE 1/4 SW 1/4 Section 25 Township 6 North, Range 34 East, WM

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered July 31, 1964, and together with certificate of water right recorded at page 55332, Volume 50, State Record of Water Right Certificates, supersedes certificate 5509.

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 December 19, 19 86

/s/ William H. Young Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 55331