

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARILYN K. MORRELL
P.O. BOX 336
PILOT ROCK, OREGON 97868

confirms the right to use the waters of EAST BIRCH CREEK, a tributary of BIRCH CREEK, for IRRIGATING 3.15 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at Page 127. The date of priority is APRIL, 1895.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.05 CUBIC FOOT PER SECOND. SUBJECT TO THE PROVISIONS OF PARAGRAPH 33 OF SAID DECREE AND ALL OTHER CONDITIONS AND LIMITATIONS CONTAINED IN SAID DECREE.

The point of diversion is located as follows:

LOT 2, SECTION 18, T 2 S, R 33 E, W.M.; 75 FEET SOUTH AND 1385 FEET WEST FROM THE S 1/4 CORNER OF SECTION 7.

A description of the place of use to which this right is appurtenant is as follows:

LOT 19 0.10 ACRES
LOT 20 1.19 ACRES
SECTION 7

LOT 1 1.86 ACRES
SECTION 18
TOWNSHIP 2 SOUTH, RANGE 33 EAST, W.M.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original point of diversion.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered May 1, 1990, and together with Certificate 64233, supersedes Certificate 2569, 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.

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The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed MAY 9, 1996.

 /s/ Steven P. Applegate

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72312.