

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EDWIN HOEFT
ROUTE 2, BOX 116 AA
PENDLETON, OREGON 97801

confirms the right to use the waters of BIRCH CREEK, a tributary of UMATILLA RIVER, for IRRIGATION OF 29.2 ACRES.

The right has been perfected under Permit 41823. The date of priority is MARCH 9, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.73 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NW 1/4, SECTION 15, T 1 N, R 32 E, W.M.; 10 FEET SOUTH AND 1350 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 10.

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 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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, and to which such right is appurtenant, is as follows:

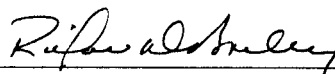
SW 1/4 SW 1/4 9.0 ACRES
SECTION 10

NE 1/4 NW 1/4 10.4 ACRES
NW 1/4 NW 1/4 9.8 ACRES
SECTION 15

TOWNSHIP 1 NORTH, RANGE 32 EAST, W.M.

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. The right 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 APRIL 10, 1998.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75580.

55452.VLC