

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELTON MUILENBURG
10305 S "C" STREET
ISLAND CITY, OREGON 97850

confirms the right to use the waters of the GRANDE RONDE RIVER, a tributary of the SNAKE RIVER, for IRRIGATION OF 119.1 ACRES.

This right was perfected under Permit 31353. The date of priority is FEBRUARY 17, 1966. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.98 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 34, T 2 S, R 38 E, W.M.; 500 FEET NORTH AND 575 FEET WEST FROM THE SE CORNER OF SECTION 34

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 35, T 2 S, R 38 E, W.M.; 685 FEET NORTH AND 2628 FEET EAST FROM THE SW CORNER OF SECTION 35.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

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

SE¹/₄ SE¹/₄ 10.0 ACRES
SECTION 34

SW¹/₄ SW¹/₄ 10.2 ACRES
SE¹/₄ SW¹/₄ 5.1 ACRES
SECTION 35

TOWNSHIP 2 SOUTH, RANGE 38 EAST, W.M.

NE¹/₄ NW¹/₄ 37.7 ACRES
NW¹/₄ NW¹/₄ 38.7 ACRES
SECTION 2

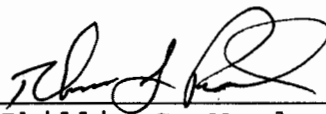
NE¹/₄ NE¹/₄ 17.4 ACRES
SECTION 3
TOWNSHIP 3 SOUTH, RANGE 38 EAST, W .M.

This certificate is issued to confirm an Historic Change in Point of Diversion pursuant to ORS 540.532 authorized by the provisions of an order of the Water Resources Director entered JUN 25 2004, approving Transfer Application 9086 and supercedes Certificate 41158, 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 above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JUNE 25, 2004.


Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80771