

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WALTER R. BITNEY  
MILTON-FREEWATER, OREGON 97823

confirms the right to use the waters of WALLA WALLA RIVER, a tributary of SNAKE RIVER, for IRRIGATION OF 54.7 ACRES.

This right was perfected under Permit 1299. The date of priority is JULY 23, 1912. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.68 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:

NE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 1, T 5 N, R 35 E, W.M.; 1080 FEET SOUTH AND 450 FEET WEST FROM N $\frac{1}{4}$  CORNER, SECTION 1.

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-EIGHTIETH of one cubic foot per second per acre, or its equivalent 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.

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

NW¼ NE¼ 5.0 ACRES  
SECTION 1  
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

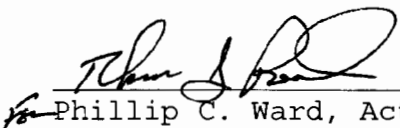
NE¼ SE¼ 23.2 ACRES  
S½ SW¼ SE¼ 17.5 ACRES  
SE¼ SE¼ 9.0 ACRES  
SECTION 36  
TOWNSHIP 6 NORTH, RANGE 35 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 49291, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 11 2004, approving Transfer Application 9437.

The issuance of this 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 AUGUST 11, 2004.

  
for Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80892.