

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

D.O. AND MRS. ANNA SAUNDERS
MILTON-FREEWATER, OREGON 97862

confirms the right to use the waters of DRY CREEK, a tributary of PINE CREEK, for Tract #1, and SAUNDERS SPRING BRANCH, a tributary of DRY CREEK, for Tract #2, for IRRIGATION.

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 7, at Page 148. The date of priority is 1880 FOR TRACT #1 AND 1895 FOR TRACT #2.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed one acre foot per acre during any thirty-day period, nor three acre feet per acre during irrigation season beginning April 1st and ending October 1st or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversions are located as follows:

SAUNDERS DITCH (TRACT #1)

PRIVATE DITCH (TRACT #2).

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

| <u>TRACT #1 - DRY CREEK</u> | |
|-----------------------------------|------------|
| NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 9.6 ACRES |
| NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 27.9 ACRES |
| SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 26.4 ACRES |
| SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 31.6 ACRES |

NE¼ NW¼ 14.0 ACRES
SE¼ NW¼ 16.0 ACRES

SECTION 36
TOWNSHIP 6 NORTH, RANGE 34 EAST, W.M.

NW¼ NW¼ 11.2 ACRES
SW¼ NW¼ 40.0 ACRES
SE¼ NW¼ 13.0 ACRES
NE¼ SW¼ 35.7 ACRES
NW¼ SW¼ 27.0 ACRES
NW¼ SE¼ 19.0 ACRES

SECTION 31
TOWNSHIP 6 NORTH, RANGE 35 EAST, W.M.

TRACT #2 - SAUNDERS SPRING BRANCH

NE¼ NW¼ 14.0 ACRES

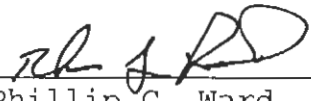
SECTION 36
TOWNSHIP 6 NORTH, RANGE 34 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 5535, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 08 2004, approving Transfer Application 8602.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,
affixed SEPTEMBER 8, 2004.


Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80951.