

STATE OF OREGON  
 COUNTY OF UMATILLA  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RAYMOND J. AND MARY LUE SLABIK  
 P.O. BOX 724  
 PILOT ROCK, OREGON 97868

confirms the right to use the waters of EAST BIRCH CREEK, a tributary of BIRCH CREEK, for IRRIGATION OF 50.7 ACRES, DOMESTIC AND STOCK USE.

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 dates of priority are 1873 for 10.14 acres, 1882 for 25.35 acres, and 1895 for 15.21 acres.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed a rate of flow of 0.634 cubic foot per second, subject to the provisions of paragraph 33 of said decree.

The authorized point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1 S	32 E	WM	16	NW SW	120 FEET SOUTH AND 350 FEET EAST FROM THE W¼ CORNER OF SECTION 16.

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

IRRIGATION, LIVESTOCK AND DOMESTIC					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	32 E	WM	16	NW SW	21.5
1 S	32 E	WM	16	SW SW	29.2

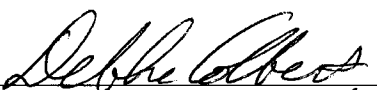
This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered DEC 06 2006, approving Transfer Application 9493, and along with Certificates 82672, 82673, 82674, 82675, and 82676, supersedes Certificate 47434, State Record of Water Right Certificates.

The right to the use of the water for the above described purposes 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 and is subject to the following additional conditions:

1. Prior to October 1, 2008, 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.
2. Prior to October 1, 2008, the water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

WITNESS the signature of the Water Resources Director, affixed December 6, 2006.

  
Phillip C. Ward, Director *PCW*