

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES BYRNES
P.O. BOX 322
PILOT ROCK, OREGON 97868

confirms the right to use the waters of EAST BIRCH CREEK, a tributary of BIRCH CREEK, for IRRIGATION OF 6.3 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 1.26 acres, 1882 for 3.15 acres and 1895 for 1.89 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 0.079 cubic foot per second, subject to the provisions of paragraph 33 of said decree.

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	1.14
1 S	32 E	WM	16	SW SW	4.53
1 S	32 E	WM	17	SE SE	0.63

This certificate describes a portion of the water right confirmed by Certificate 47434, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 06 2006, approving Transfer Application 9493, and along with Certificates 82671, 82672, 82674, 82675, and 82676, supersedes Certificate 47434, 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.

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.

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.

WITNESS the signature of the Water Resources Director, affixed DEC 06 2006.



Phillip C. Ward, Director *PCW*