

STATE OF OREGON  
 COUNTY OF UMATILLA  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J.A. GUDERIAN  
 PENDLETON, OR 97801

confirms the right to use the waters of the BIRCH CREEK, a tributary of the UMATILLA RIVER for IRRIGATION of 70.0 ACRES, DOMESTIC and STOCK uses.

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 11.95 acres, 1889 for 11.95 acres, and 1900 for 46.1 acres.

The amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.87 cubic feet per second, subject to the provisions of paragraph 33 of said decree and all other conditions and limitations contained in said decree.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
1 N	32 E	WM	22	NW SE	700 FEET SOUTH AND 1800 FEET WEST FROM THE E <sup>1</sup> / <sub>4</sub> CORNER OF SECTION 22

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.

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

Twp	Rng	Mer	Sec	Q - Q	Acres
1 N	32 E	WM	10	SW SW	18.0
1 N	32 E	WM	10	SE SW	0.5
1 N	32 E	WM	15	NE NE	1.0
1 N	32 E	WM	15	NE NW	12.0
1 N	32 E	WM	15	NW NW	0.5
1 N	32 E	WM	15	SW SE	20.0
1 N	32 E	WM	22	NW NE	18.0
<b>TOTAL:</b>					<b>70.0</b>

DOMESTIC and STOCK USES					
Twp	Rng	Mer	Sec	Q - Q	
1 N	32 E	WM	10	SW SW	
1 N	32 E	WM	10	SE SW	
1 N	32 E	WM	15	NE NE	
1 N	32 E	WM	15	NE NW	
1 N	32 E	WM	15	NW NW	
1 N	32 E	WM	15	SW SE	
1 N	32 E	WM	22	NW NE	

This certificate describes that portion of the water right confirmed by Certificate 56171, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APR 13 2011, approving Transfer Application T-10311.

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.

WITNESS the signature of the Water Resources Director, affixed APR 13 2011.

  
Dwight French, Water Rights Services Administrator, for  
PHILLIP C. WARD, DIRECTOR