

STATE OF OREGON  
 COUNTY OF UMATILLA  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ADOLPH AND MARY K. WEINKE  
 PO BOX 547  
 PILOT ROCK, OR 97868

confirms the right to use the waters of EAST BIRCH CREEK, a tributary of BIRCH CREEK for IRRIGATION on 28.0 ACRES, DOMESTIC AND STOCK USE.

This right was confirmed by decree of the Circuit of the State of Oregon for Umatilla County. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1875 for 12.7 acres and 1892 for 15.3 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.35 CUBIC FOOT PER SECOND, subject to the provisions of Paragraph 33 of said decree and all other conditions and limitations contained in said decree.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
2 S	32 E	WM	10	NW SE	POD # 1 - GPS: N. 45.40550°, W. -118.79739°
2 S	32 E	WM	10	SW NE	POD # 2 - GPS: N. 45.40783°, W. -118.80042°

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

Twp	Rng	Mer	Sec	Q - Q	Acres	Priority Date	POD#
2 S	32 E	WM	10	SW NE	15.0	1892	#2
2 S	32 E	WM	10	SE NE	0.3	1892	#1
2 S	32 E	WM	10	SE NE	1.2	1875	#1
2 S	32 E	WM	10	NE SE	10.0	1875	#1
2 S	32 E	WM	10	NW SE	1.5	1875	#1

Prior to October 1, 2013, the water user shall install and maintain fish screens at the new points of diversion. Prior to installation, the water user shall obtain written approval from ODFW that the required screens meet ODFW's criteria. The water user shall maintain and operate the fish screens at the points of diversion consistent with ODFW's operational and maintenance standards.

This certificate is issued to correct a scrivener's error in the location of 1.5 acres, described on Certificate 87458. This Certificate supersedes Certificate 87458, and confirms an HISTORIC CHANGE IN POINT OF DIVERSION for a portion of water right Certificate 86723, approved by an order of the Water Resources Director for Transfer Application T-11067, entered March 13, 2012, and recorded at Volume 87, Pages 167-171.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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, together with Certificate 87502, supersedes Certificate 86723, 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.

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 July 19 2012.

E. Timothy Wall for

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