

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ESTATE OF JOE H. HANBY, c/o Cora H. Hanby of 2628 College Street, Baker, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Powder River a tributary of Snake River for the purpose of irrigation of 37.2 acres and power under Permit No. 23781 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 12, 1955,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 24.0 cubic feet per second, being 0.70 c.f.s. for irrigation and 23.3 c.f.s. for power

The point of diversion is located in the SW 1/4 SW 1/4, Section 3, T. 9 S., R. 44 E., W. M. or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer. A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- 7.4 acres SW 1/4 NW 1/4
 - 1.2 acres SE 1/4 NW 1/4
 - 5.0 acres NE 1/4 SW 1/4
 - 13.7 acres NW 1/4 SW 1/4
 - 5.8 acres SW 1/4 SW 1/4
 - Power & 4.1 acres SE 1/4 SW 1/4
- Section 3
T. 9 S., R. 44 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years' notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of

ORS 537.290.

WITNESS the signature of the State Engineer, affixed

this 25th day of September, 1954

CHRIS L. WHEELER
State Engineer