

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

This Is To Certify, That **NORMAN BUTLER**

of Route 1, 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 three gravel pits a tributary of Pine Creek (Powder River) for the purpose of irrigation of 87.9 acres and supplemental irrigation of 120.6 acres under Permit No. G-2877 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 April 14, 1965

; 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 2.55 cubic feet per second; being 1.47 c.f.s. from Pit No. 1; 0.72 c.f.s. from Pit No. 2; and 0.36 c.f.s. from Pit No. 3,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the No. 1 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19; No. 2 - NW $\frac{1}{4}$ NW $\frac{1}{4}$; No. 3 - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29, T. 8 S., R. 39 E., W. M. Gravel Pits located below:

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-eightieth 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 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:

GRAVEL PIT NO. 1

| Primary | Supplemental | |
|--------------------------|--------------|-----------------------------------|
| 10.8 acres | | NE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 12.0 acres | | SE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| 14.6 acres | | NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 33.2 acres | | NW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| 2.8 acres | | SW $\frac{1}{4}$ SE $\frac{1}{4}$ |
| Section 19 | | |
| | 6.9 acres | NE $\frac{1}{4}$ SW $\frac{1}{4}$ |
| | 37.0 acres | NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| Section 20 | | |
| T. 8 S., R. 39 E., W. M. | | |

GRAVEL PIT NO. 2

| Primary | Supplemental | |
|---------|--------------|-----------------------------------|
| | 32.0 acres | NE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| | 25.2 acres | NW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| | Section 29 | |

GRAVEL PIT NO. 3

| | | |
|--------------------------|------------|-----------------------------------|
| 5.6 acres | | SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 8.9 acres | 19.5 acres | NW $\frac{1}{4}$ SW $\frac{1}{4}$ |
| | Section 29 | |
| T. 8 S., R. 39 E., W. M. | | |

Gravel Pits located: No. 1 - 680 feet South and 770 feet West from the E $\frac{1}{4}$ Corner, Section 19; No. 2 - 1930 feet North and 600 feet East; No. 3 - 700 feet South and 190 feet East; both from the W $\frac{1}{4}$ Corner, Section 29, T. 8 S., R. 39 E., W. M.

Certificate of water right issued to Norman Butler and recorded at page 34640, Volume 26, State Record of Water Right Certificates, confirms the right to the use of water for irrigation and supplemental irrigation of 247.0 acres. Subsequently, the right to the use of water appurtenant to 38.5 acres was canceled by order of the State Engineer entered July 3, 1970. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to Norman Butler.

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

WITNESS the signature of the State Engineer, affixed

this 26th day of February, 1971.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 29, page 37356