

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HANNA NICKEL SMELTING CO.

of P. O. Box 85, Riddle, State of Oregon, 97469, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Rail Creek (also known as Rail Gulch)

a tributary of Cow Creek for the purpose of Riddle Smelter (fire protection, domestic, milling & smelting ore)

under Permit No. 21988 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 30, 1952

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 3.4 cubic feet per second, if available at the original point of diversion; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, T. 30 S., R. 6 W., W. M., 349 feet South and 1426 feet West from the NE Corner, Section 29

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, T. 30 S., R. 6 W., W. M., 520 feet North and 1220 feet East from the S $\frac{1}{2}$ Corner Section 17, 850 feet South and 880 feet East from the NW Corner, Section 21, 349 feet South and 1426 feet West from the NE Corner, Section 29

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 -----of one cubic foot per second per acre,

SUPERSEDED BY
CERT. NO. 92153
T-9329

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:

NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 28
T. 30 S., R. 6 W., W. M.

This certificate is issued to confirm additional points of diversion approved by an order of the Water Resources Director entered December 12, 1968 and supersedes certificate of water right recorded on Page 24239, Volume 17, State Record of Water Right Certificates.

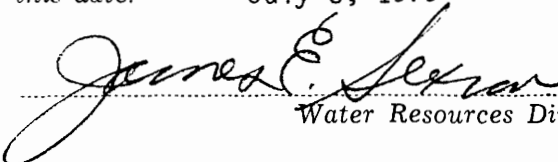
The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. July 3, 1979

SUPERSEDED BY
CERT. NO. 88959


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 41, page 48232

T-9329 A HPD

T-9286 A PDA/HPD