

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That E. A. WHITTIER

of Baker, State of Oregon 97814, has
a right to the use of the waters of
Eagle Creek

a tributary of Powder River for the purpose of
irrigation of 375.9 acres;

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Baker County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at page 291; that the priority of the right thereby confirmed dates from 1891 for 165.9 acres in Tract 1; 1879 for 210 acres in Tract 2; that 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 1/40 cubic foot per second per acre.

The point of diversion is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, T. 8 S., R 45 E, W.M.; Waterbury-Allen Ditch - 1250 feet North and 2480 feet East from SW Corner, Section 33.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

Tract 1

39.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21

40.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
16.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 22

38.5 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
32.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 28
T. 9 S., R. 45 E., W.M.

Tract 2

30.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
20.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 27
T. 9 S., R. 45 E., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 4763, Volume 5, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on July 28, 1980, approving transfer application No. 4502.

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

*And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.*

WITNESS the signature of the Water Resources Director, affixed

this date October 28 , 1980 .



Deputy Water Resources Director