

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BAKER VALLEY IRRIGATION DISTRICT

of PO Box 127, Baker, State of Oregon 97814, has a right to the use of the waters of Powder River

a tributary of Snake River for the purpose of irrigation of 2,135.1 acres and storage of 350 acre-feet of water in Baker Reservoir

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 March, 1905

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 one-fortieth of one cubic foot per second per acre

The point of diversion is located in the NW 1/4 NE 1/4, Section 19, T10S, R40E, WM; Smith Ditch - 945 feet South and 1,865 feet West from NE Corner, Section 19; NE 1/4 NW 1/4, Section 17, T10S, R40E, WM; McKittrick Pump - 10 feet South and 1,570 feet East from NW Corner, Section 17. A description of the place of use under the right, and to which such right is appurtenant, is as follows:

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SMITH DITCH

15.0 acres in SW 1/4 NW 1/4
17.7 acres in NE 1/4 SW 1/4
40.0 acres in NW 1/4 SW 1/4
29.3 acres in SW 1/4 SW 1/4
4.1 acres in SE 1/4 SW 1/4

Section 31

Township 8 South, Range 41 East, WM

40.0 acres in NE 1/4 SE 1/4
22.0 acres in SE 1/4 SE 1/4

Section 36

Township 8 South, Range 40 East, WM

40.0 acres in NW 1/4 NE 1/4
20.0 acres in NE 1/4 NW 1/4
20.0 acres in SW 1/4 NW 1/4
34.7 acres in NW 1/4 SW 1/4
18.0 acres in SW 1/4 SW 1/4

Section 1

40.0 acres in NE 1/4 NE 1/4
40.0 acres in NW 1/4 NE 1/4
40.0 acres in SW 1/4 NE 1/4
40.0 acres in SE 1/4 NE 1/4
36.2 acres in SE 1/4 SW 1/4
2.0 acres in SW 1/4 SE 1/4
9.85 acres in SE 1/4 SE 1/4

Section 2

32.0 acres in SW 1/4 NE 1/4
40.0 acres in SE 1/4 NE 1/4
40.0 acres in NE 1/4 SE 1/4
40.0 acres in NW 1/4 SE 1/4
38.2 acres in SW 1/4 SE 1/4
40.0 acres in SE 1/4 SE 1/4

Section 10

40.0 acres in NE 1/4 NE 1/4
40.0 acres in NW 1/4 NE 1/4
40.0 acres in SW 1/4 NE 1/4
40.0 acres in SE 1/4 NE 1/4
40.0 acres in NE 1/4 NW 1/4
40.0 acres in SW 1/4 NW 1/4
40.0 acres in SE 1/4 NW 1/4
40.0 acres in NE 1/4 SW 1/4
40.0 acres in NW 1/4 SW 1/4
40.0 acres in SW 1/4 SW 1/4
40.0 acres in SE 1/4 SW 1/4
35.0 acres in NE 1/4 SE 1/4
34.2 acres in NW 1/4 SE 1/4
7.0 acres in SW 1/4 SE 1/4
5.0 acres in SE 1/4 SE 1/4

Section 11

22.0 acres in NW 1/4 NW 1/4
40.0 acres in SW 1/4 NW 1/4
24.0 acres in SE 1/4 NW 1/4
35.0 acres in NE 1/4 SW 1/4
38.0 acres in NW 1/4 SW 1/4
9.5 acres in SW 1/4 SW 1/4
8.0 acres in NE 1/4 SE 1/4
30.0 acres in NW 1/4 SE 1/4

Section 12

18.5 acres in NW 1/4 NE 1/4
15.0 acres in SW 1/4 NE 1/4
40.0 acres in NE 1/4 NW 1/4
40.0 acres in NW 1/4 NW 1/4
40.0 acres in SW 1/4 NW 1/4
35.5 acres in SE 1/4 NW 1/4

3.5 acres in NE 1/4 SW 1/4
23.0 acres in NW 1/4 SW 1/4
40.0 acres in SW 1/4 SW 1/4
6.5 acres in SE 1/4 SW 1/4
Section 14

40.0 acres in NE 1/4 NE 1/4
6.8 acres in NW 1/4 NE 1/4
5.5 acres in SW 1/4 NE 1/4
9.2 acres in SE 1/4 NE 1/4
17.0 acres in SE 1/4 NW 1/4
38.3 acres in NE 1/4 SW 1/4
7.6 acres in SW 1/4 SW 1/4
40.0 acres in SE 1/4 SW 1/4
22.5 acres in NE 1/4 SE 1/4
31.0 acres in NW 1/4 SE 1/4
40.0 acres in SW 1/4 SE 1/4
40.0 acres in SE 1/4 SE 1/4
Section 15

21.2 acres in NE 1/4 NE 1/4
23.2 acres in NW 1/4 NE 1/4
10.35 acres in NE 1/4 NW 1/4
Section 22

20.5 acres in NW 1/4 NW 1/4
Section 23
Township 9 South, Range 40 East, WM

McKITTRICK PUMP

10.5 acres in SE 1/4 SW 1/4
Section 8

22.7 acres in NE 1/4 NW 1/4
Section 17
Township 10 South, Range 40 East, WM

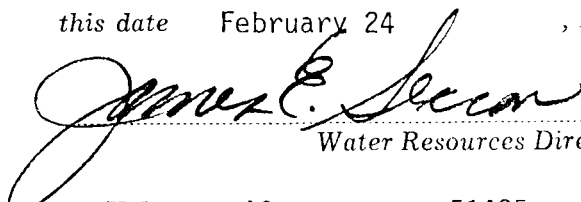
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 9167, Volume 9, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered March 19, 1979 and July 9, 1980 approving Transfer Applications 3840 and 4480 and is issued to confirm a change in place of use and point of diversion approved by the same orders and supersedes Certificate 9167.

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.

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 February 24, 1983


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46, page 51425

Cancelled Sp.Or.Vol. P.