## STATE OF OREGON

COUNTY OF

WALLOWA

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

S.W. MILES

of Evans , State of Oregon 97857 , has a right to the use of the waters of South Fork Wallowa River (Lostine River)

a tributary of Wallowa River irrigation of 550.9 acres, domestic and stock use for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Wallows County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5 at page 184-\*\* that the priority of the right thereby confirmed dates from 1882 for Tract No. 1; 1889 for Tract No. 2 and 1896 for Tracts 3 and 4

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 1.5 acre-feet per acre during any period of 30 days prior to July 31 of each year, and thereafter not to exceed 1 acre-foot per acre during the entire remainder of the irrigation season;

The point of diversion is located in the T Tract 1 - SE 1/4 NE 1/4, Section 9, T1S, R43E, WM; Miles Ditch, Tract 3 - NE 1/4 SE 1/4, Section 9, T1S, R43E, WM, Miles Magill Ditch.

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

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Tract No. 1
       12.0 acres NW 1/4 NE 1/4
       15.0 acres NE 1/4 NW 1/4
3.0 acres SE 1/4 NW 1/4
                Section 9
       27.0 acres NW 1/4 NW 1/4
       38.0 acres SW 1/4 NW 1/4
        3.0 acres SE 1/4 NW 1/4
       13.5 acres NE 1/4 SW 1/4
       80.0 acres W 1/2 SW 1/4
      37.0 acres SE 1/4 SW 1/4
1.0 acre SW 1/4 SE 1/4
                Section 4
      42.0 acres NE 1/4 NE 1/4
40.0 acres SE 1/4 NE 1/4
80.0 acres E 1/2 SE 1/4
                Section 5
Township 1 South, Range 43 East, WM
       40.0 acres NW 1/4 SE 1/4
       80.0 acres S 1/2 SE 1/4
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Section 32

9.0 acres SW 1/4 SW 1/4
Section 33

Township 1 North, Range 43 East, WM

For use of the Middle Valley Irrigation and Water Ditch Company Ditch to supplement the diversion through the Miles Ditch for the following described lands also described and included in the lands described above under Miles Ditch, to-wit:

17.0 acres NW 1/4 NW 1/4 Section 4 40.0 acres NE 1/4 NE 1/4 Section 5

Township 1 South, Range 43 East, WM

40.0 acres NW 1/4 SE 1/4 80.0 acres S 1/2 SE 1/4 Section 32 9.0 acres SW 1/4 SW 1/4 Section 33

Township 1 North, Range 43 East, WM

Tract No. 3 10.8 acres NW 1/4 NE 1/4 19.6 acres NE 1/4 NW 1/4 Section 9 Township 1 South, Range 43 East, WM Tract No. 4

For use of the Miles-Magill Ditch to supplement diversions through the Miles Ditch and Middle Valley Irrigation and Water Ditch Company Ditch for the following described lands, also described and included above under said ditch, to-wit:

15.0 acres NE 1/4 NW 1/4
Section 9
27.0 acres NW 1/4 NW 1/4
38.0 acres SW 1/4 NW 1/4
3.0 acres SE 1/4 NW 1/4
13.5 acres NE 1/4 NW 1/4
80.0 acres NE 1/4 SW 1/4
80.0 acres NE 1/4 NE 1/4
40.0 acres NE 1/4 NE 1/4
40.0 acres NE 1/4 NE 1/4
80.0 acres E 1/2 SE 1/4
NE 1/4
NE 1/4
80.0 acres NE 1/4 NE 1/4
80.0 acres NE 1/4 NE 1/4
80.0 acres NE 1/4 NE 1/4
80.0 acres NE 1/2 SE 1/4
80.0 acres NW 1/4 SE 1/4
80.0 acres NW 1/4 SE 1/4
80.0 acres NW 1/4 SE 1/4

80.0 acres S 1/2 SE 1/4 Section 32 9.0 acres SW 1/4 SW 1/4 Section 33 Township 1 North, Range 43 East, WM

This certificate is issued to correctly describe the number of acres irrigated and to more correctly describe the points of diversion, and supersedes certificate of water right recorded at page 46528, Volume 39, State Record of Water Right Certificates.

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 abandomment.

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 August 27 , 19 85.

/s/ William H. Young Water Resources Director