

STATE OF OREGON

COUNTY OF

BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

DONALD STEPHENS

of Route 1, Box 33, Haines
a right to the use of the waters of Rock Creek

, State of Oregon 97833 , has

a tributary of Powder River
irrigation of 50.4 acres

for the purpose of

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 1897 for 9.4 acres, 1883 for 23 acres, and 1894 for 18 acres

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 of one cubic foot per second per acre, if available at the original point of diversion in SE 1/4 NE 1/4, Section 34, T7S, R38E, WM; Toney-Blize Ditch- 460 feet North and 250 feet West from West 1/4 Corner, Section 35.

The point of diversion is located in the SE 1/4 NE 1/4, Section 34; SW 1/4 NW 1/4, Section 35, T7S, R38E, WM; Toney-Blize Ditch- 460 feet North and 250 feet West; Toney Ditch- 710 feet North and 1130 feet East, both from West 1/4 Corner, Section 35.

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

1883
11.0 acres NW 1/4 NE 1/4
12.0 acres NE 1/4 NW 1/4
1894
11.0 acres NW 1/4 NE 1/4
7.0 acres NE 1/4 NW 1/4
1897
6.0 acres NW 1/4 NE 1/4
3.4 acres SW 1/4 NE 1/4
Section 35
Township 7 South, Range 38 East, WM

This certificate is issued to confirm a change in place of use and an additional point of diversion approved by an order of the Water Resources Director entered December 18, 1978, and supersedes certificate of water right recorded at page 4057, Volume 5, 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 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 April 4 , 19 86 .

./s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 49 , page 54108