

STATE OF OREGON

COUNTY OF

BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

NORMAN BUTLER

of Route 1, Box 144-B, Baker, State of OR 97814, has a right to the use of the waters of Spring Creek

a tributary of Powder River for the purpose of irrigation of 22.5 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 1866 for 17.5 acres and 1880 for 5.0 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 one-fortieth of one cubic foot per second per acre; if available at the original points of diversion in the SW 1/4 SE 1/4, Section 28; NW 1/4 NE 1/4, Section 33, T8S, R39E, WM; Waltz #4 - 75 feet North and 2590 feet West; Waltz #3 - 45 feet South and 2110 feet West; both from the NE corner Section 33. The point of diversion is located in the NE 1/4 NW 1/4, Section 33, T8S, R39E, WM; 40 feet South and 2940 feet West from NE corner Section 33.

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

22.5 acres SW 1/4 SE 1/4 Section 28 Township 8 South, Range 39 East, WM

This certificate is issued to confirm changes in points of diversion approved by an order of the Water Resources Director entered September 15, 1978, and together with certificate of water right recorded at page 46753, Volume 39, State Record of Water Right Certificates, supersedes certificate 4537.

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 October 23, 1986

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 54988