

STATE OF OREGON

COUNTY OF

BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

ELINGSON LUMBER COMPANY

of PO Box 866, Baker, State of OR 97814, has a right to the use of the waters of Powder River

a tributary of Snake River for the purpose of Power Plant Condenser Cooling

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 1901

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 0.03 cubic foot per second

The point of diversion is located in the NW 1/4 SW 1/4, Section 21, T9S, R40E, WM; Settler's Slough - 2180 feet North and 50 feet East from SW corner Section 21.

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

SE 1/4 SW 1/4 Section 17

NE 1/4 NW 1/4 Section 20

Township 9 South, Range 40 East, WM

This certificate is issued to confirm a change in use approved by an order of the Water Resources Director entered January 28, 1980, and to describe that portion of the prior right NOT canceled by the provisions of an order entered January 10, 1980 and supersedes certificate of water right recorded at page 4485, 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 December 19, 1983

/s/ WILLIAM H. YOUNG Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 55293