

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that ARRON L. MOXON AND DONALD R. MERRITT, of ROUTE 1, BOX 93A, AND 1100 WASHINGTON, BAKER, OREGON 97814, has a right to the use of the waters of PINE CREEK, TRIBUTARY OF POWDER RIVER, for the purpose of IRRIGATING 5.6 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for BAKER County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at page 291. The date of priority is 1897.

The right is limited to not more than ONE-FORTIETH OF ONE CUBIC FOOT PER SECOND PER ACRE, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION IN THE SW1/4 NE1/4, SECTION 26, T8S, R38E, WM; SPILLMAN DITCH - 2530 FEET NORTH & 2205 FEET WEST FROM THE SE CORNER NE1/4 SE1/4 SECTION 26.

The point of diversion is located as follows:

SW1/4 NE1/4, SECTION 26, TOWNSHIP 8 SOUTH, RANGE 38 EAST, WM; 1000 FEET NORTH & 1640 FEET WEST FROM E1/4 CORNER SECTION 26.

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

	MERRITT	MOXON
SE1/4 NE1/4	0.5 ACRE	0.9 ACRE
NE1/4 SE1/4	0.3 ACRE	3.9 ACRES

SECTION 26
TOWNSHIP 8 SOUTH, RANGE 38 EAST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

This certificate is issued to confirm a change in place of use and point of diversion approved by orders of the Water Resources Director entered November 27, 1979 and February 18, 1981, approving transfers 4305 and 4657. That portion of the water right NOT involved in the changes as evidenced by certificate 48924 was cancelled by order of the Water Resources Director entered March 20, 1985. This certificate supercedes certificate 4518, 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.

WITNESS the signature of the Water Resources Director, affixed this date AUGUST 18, 1988.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57544

T-4657