

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ESTATE OF W. C. NICHOLSON:
N. J. HOBERG, M. J. GILBAUGH,
VERLIE T. BERBER; OPAL TONEY,
HEIRS AT LAW: C/O N. J. HOBERG
HAINES, OREGON 97833

confirms the right to use the waters of NORTH POWDER RIVER, a tributary of POWDER RIVER, for the purpose of THE IRRIGATION OF 120.5 ACRES OF LAND AND DOMESTIC AND STOCK USE.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for UNION County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR of the State of Oregon, in Volume 3, at page 252 the date of priority 1886.

The right is limited to not more than 3.01 CUBIC FEET PER SECOND FROM MARCH 1ST TO JULY 1ST AND 1.51 CUBIC FEET PER SECOND FROM JULY 1ST TO OCTOBER 1ST OF EACH YEAR; THE TOTAL QUANTITY DIVERTED DURING EACH IRRIGATION SEASON NOT TO EXCEED 301 ACRE FEET.

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

SW 1/4 SE 1/4 15.0 ACRES
SE 1/4 SE 1/4 20.0 ACRES
SECTION 16

NE 1/4 NE 1/4 9.0 ACRES
SW 1/4 NE 1/4 12.0 ACRES
SE 1/4 NE 1/4 10.0 ACRES
NE 1/4 SE 1/4 11.0 ACRES
SECTION 21

SW 1/4 NW 1/4 38.0 ACRES
NW 1/4 SW 1/4 5.5 ACRES
SECTION 22

TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 1499, volume 2, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on JULY 13, 1988, approving transfer application No. T-6003.

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.

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 is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,
affixed this date DECEMBER 22, 1988.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 58944

T-6003

Certificate 62314²