

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GLEN SWILLING

ROUTE 1, BOX 83, GOODRICH CREEK ROAD
BAKER, OREGON 97814

"Superseded by
Cert. No. 67217"

confirms the right to use the waters of SPRING CREEK AND PINE CREEK, tributaries of POWDER RIVER, for the purpose of IRRIGATING 45.0 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 1898.

The right is limited to not more than 1.125 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION.

The points of diversion are located as follows:

SPRING CREEK: SW 1/4 SE 1/4, SECTION 30, T 8 S, R 39 E, W.M.; 410 FEET NORTH & 1000 EAST FROM S1/4 CORNER SECTION 30; PINE CREEK; SW 1/4 NE 1/4, SECTION 26, T 8 S, R 38 E, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTHIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated.

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 10.0 ACRES
SE 1/4 SW 1/4 35.0 ACRES
SECTION 30
TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered SEPTEMBER 5, 1978 and supersedes certificate 3996, 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.

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.

WITNESS the signature of the Water Resources Director, affixed this date FEBRUARY 9, 1989.

/s/ WILLIAM W. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 60013

T-3940.BE