

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Superseded
"CERTIFICATE NO. 63673 &"
67234

J. V. THOMAS
ROUTE 1, BOX 198
HALFWAY, OREGON 97834

confirms the right to use the waters of PINE CREEK, MELHORN SLOUGH, UNNAMED SLOUGH AND WASTE WATER, a tributary of SNAKE RIVER, for the purpose of IRRIGATING 34.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 12.5 ACRES.

The right has been perfected under Permit 26034. The date of priority is MARCH 6, 1959. The right is limited to not more than 1.09 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SW 1/4 NE 1/4, NW 1/4 SE 1/4, SECTION 15; NW 1/4 NE 1/4, NW 1/4 NW 1/4, SECTION 22, T 8 S, R 46 E, W.M.; UNNAMED SLOUGH- 730 FEET NORTH & 890 FEET EAST; MELHORN SLOUGH-1270 FEET SOUTH & 70 FEET EAST; WASTE WATER-2650 FEET SOUTH & 70 FEET EAST, 3050 FEET SOUTH & 70 FEET EAST; PINE CREEK-3000 FEET SOUTH & 2370 FEET WEST, ALL FROM CENTER 1/4 CORNER SECTION 15.

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-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. THE RIGHT TO USE WASTE WATER SHALL ALSO BE LIMITED TO THE QUANTITY OF WATER AVAILABLE AT THE POINT OF DIVERSION, AND SHALL NOT CARRY WITH IT THE RIGHT TO COMPEL THE CONTINUANCE OF THE WASTE WATER.

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

SEE NEXT PAGE

UNNAMED SLOUGH

SW 1/4 NE 1/4 2.4 ACRES
SE 1/4 NE 1/4 7.6 ACRES

MELHORN SLOUGH

SW 1/4 SE 1/4 15.6 ACRES

PINE CREEK AND WASTE WATER

SW 1/4 SE 1/4 2.4 ACRES

SECTION 15
TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

SUPPLEMENTAL

PINE CREEK AND WASTE WATER

NW 1/4 NE 1/4 12.5 ACRES

SECTION 22
TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

This certificate describes that portion of the water right confirmed by certificate 37498, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUNE 2, 1989, approving transfer application 6180.

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. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date JULY 7, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61854

T-6180.BE