

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FARM CREDIT BANK OF SPOKANE
W 601 1st Avenue, TAF-C5
SPOKANE, WASHINGTON 99220

confirms the right to use the waters of POWDER RIVER, a tributary of SNAKE RIVER, for the purpose of PRIMARY IRRIGATION OF 212.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 5.6 ACRES.

The right has been perfected under Permit 31337. The date of priority is FEBRUARY 15, 1966. The right is limited to not more than 3.19 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SW 1/4, SECTION 11, T 7 S, R 39 E, W.M.; 1050 FEET SOUTH & 1290 FEET WEST FROM CENTER 1/4 CORNER OF SECTION 11.

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 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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

PRIMARY IRRIGATION

NE 1/4 SW 1/4 5.9 ACRES
SE 1/4 SW 1/4 15.3 ACRES
NW 1/4 SE 1/4 0.6 ACRE
SW 1/4 SE 1/4 31.0 ACRES
SE 1/4 SE 1/4 31.0 ACRES

SECTION 11

NE 1/4 NW 1/4 2.1 ACRES
NW 1/4 NW 1/4 0.3 ACRE
SW 1/4 NW 1/4 11.6 ACRES
SE 1/4 NW 1/4 17.6 ACRES
NE 1/4 SW 1/4 9.3 ACRES
NW 1/4 SW 1/4 25.4 ACRES
SW 1/4 SW 1/4 29.6 ACRES

SECTION 12

NE 1/4 NE 1/4 21.6 ACRES
NW 1/4 NE 1/4 11.5 ACRES

SECTION 14

TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.

SUPPLEMENTAL IRRIGATION

NE 1/4 SW 1/4 4.5 ACRES
SE 1/4 SW 1/4 0.2 ACRE
NW 1/4 SE 1/4 0.9 ACRE

SECTION 11

TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered APRIL 22, 1981, and together with certificate 50115, supersedes certificate 37978, 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. 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 MARCH 12, 1990.

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 64149

T-4706.BE