

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

G. R. HODGIN and JOHN ROHNER
BAKER CITY, OREGON 97814

confirms the right to use the waters of POWDER RIVER, a tributary of SNAKE RIVER and confirms the right to use the waters of PINE CREEK, OVERFLOW AND MINING SLOUGH, tributary of POWDER RIVER, for IRRIGATION OF 204.0 ACRES.

This right was 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 1882 FOR TRACT 1, 1900 FOR TRACT 2, 1865 FOR TRACT 3 and 1900 FOR TRACT 4.

The use is limited to 5.10 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second for each acre irrigated during the irrigation season of each year.

A description of the place of use to which this right is appurtenant is as follows:

TRACT 1 - POWDER RIVER

NW 1/4 NE 1/4 30.0 ACRES
SW 1/4 NE 1/4 2.0 ACRES
SECTION 24

SW 1/4 NE 1/4 40.0 ACRES
SE 1/4 NW 1/4 25.0 ACRES
SECTION 13

TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

TRACT 2 - POWDER RIVER

NE 1/4 SW 1/4 25.0 ACRES
NW 1/4 SE 1/4 5.0 ACRES
SECTION 25

TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

TRACT 3 - PINE CREEK

NW 1/4 NW 1/4 20.0 ACRES
SECTION 26
TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

TRACT 4 - OVERFLOW and MINING SLOUGH

NW 1/4 NE 1/4 4.0 ACRES
SW 1/4 NE 1/4 38.0 ACRES
SECTION 24

SE 1/4 NW 1/4 15.0 ACRES
SECTION 13
TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 4221, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APRIL 12, 1991, approving Transfer Applications 6176, 6177, 6213 and 6388.

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 APRIL 22, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 65685.

T-6388.VRG.

Canceled Sp.Or.Vol. 51, 148 P.