

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JEPSON BROTHERS RANCH COMPANY
P.O. BOX 578
CLATSKANIE, OREGON 97016

confirms the right to use the waters of SALMON CREEK AND PINE CREEK, tributaries of POWDER RIVER, for IRRIGATING 214.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for BAKER County as evidenced by Certificate 4543. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at Page 291. The dates of priority are 1865 FOR SALMON CREEK AND 1867 FOR PINE CREEK.

The use is limited to 5.35 CUBIC FEET PER SECOND, if available at the original points of diversion on SALMON AND PINE CREEKS, or its equivalent in case of rotation, measured at the new points of diversion on SALMON CREEK.

The point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 23, T 8 S, R 39 E, W.M.; DIVERSION E - 25 FEET NORTH AND 800 FEET WEST; DIVERSION F - 740 FEET NORTH AND 870 FEET WEST; BOTH FROM THE SE CORNER OF SECTION 23.

The amount of water used for irrigation under this right is limited to a diversion of ONE-FORTIETH of one cubic foot per second per acre (or its equivalent) and shall be subject to all other conditions and limitations contained in said decree.

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

DIVERSION F

SW 1/4 SE 1/4	15.0 ACRES
SE 1/4 SE 1/4	15.8 ACRES

SECTION 23

NE 1/4 NE 1/4	13.8 ACRES
NW 1/4 NE 1/4	40.0 ACRES
SW 1/4 NE 1/4	40.0 ACRES
SE 1/4 NE 1/4	13.4 ACRES

SECTION 26

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

DIVERSIONS E AND F

NE 1/4 SE 1/4	6.0 ACRES
NW 1/4 SE 1/4	39.5 ACRES
SW 1/4 SE 1/4	25.0 ACRES
SE 1/4 SE 1/4	5.5 ACRES

SECTION 23

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

SEE NEXT PAGE

When required by the Department, the water user, with at least a 10 day notice from the Department, shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water near the mouth of PINE CREEK and the quantity of water diverted from SALMON CREEK. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

A Department approved measuring device may be required on PINE CREEK above the mouth of SPRING CREEK.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 31, 1990 and supersedes Certificate 4543, 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 is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed
MARCH 20, 1992.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 67236.

T-6350.DSM