

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HIGHWAY DIVISION
OREGON DEPARTMENT OF TRANSPORTATION
2111 ADAMS AVENUE
P.O. BOX 850
LA GRANDE, OREGON 97850

confirms the right to use the waters of BURNT RIVER, a tributary of THE SNAKE RIVER AND WATER STORED IN UNITY RESERVOIR, CONSTRUCTED UNDER PERMIT R-176, for IRRIGATING 4.4 ACRES.

This right was perfected under Permit 50712. The date of priority is AUGUST 5, 1988. This right is limited to 0.11 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source. DIRECT FLOW FROM THE RIVER IS NOT ALLOWED AFTER JULY 30 OF EACH YEAR.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 30, T 12 S, R 44 E, W.M.; 2265 FEET SOUTH AND 900 FEET WEST FROM THE NE CORNER OF SECTION 30.

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 (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

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

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

SW 1/4 NW 1/4 0.2 ACRE
NW 1/4 SW 1/4 0.9 ACRE
SECTION 29

SE 1/4 NE 1/4 1.9 ACRES
NE 1/4 SE 1/4 1.4 ACRES
SECTION 30

TOWNSHIP 12 SOUTH, RANGE 44 EAST, W.M.

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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed SEPTEMBER 8, 1992.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67776.

BASIN 9

VOLUME 3A BURNT RIVER MISC.

DISTRICT 8

69675.DSM