

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEORGE EBELL
BAKER CITY, OREGON 97814

confirms the right to use the waters of GOODRICH CREEK and MILL CREEK, tributaries of the Powder River for IRRIGATION OF 233.59 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 dates of priority are: 1863 for 30.0 ACRES, 1865 for 10.00 ACRES, 1874 for 34.5 ACRES, 1880 for 80.00 ACRES, 1881 for 64.09 ACRES and 1884 for 15.0 ACRES.

The point of diversion is the EBELL DITCH.

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) 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:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 9.00 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 26.00 ACRES

SECTION 36

TOWNSHIP 8 SOUTH, RANGE 38 EAST, W.M.

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.50 ACRES

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 28.00 ACRES

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 31.00 ACRES

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.09 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.00 ACRES

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 28.00 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 27.00 ACRES

SECTION 31

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

This certificate describes that portion of the water right confirmed by the certificate recorded at Page 4122, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on January 29, 1993, canceling a portion of said water right.

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
JANUARY 29, 1993.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68123.

4122.VC/VRG