

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOY E. FOLTZ
ROUTE 1 BOX 141
BAKER CITY, OREGON 97814

ROBERT C. AND BETTY L. AUSTIN
ROUTE 1 BOX 149
BAKER CITY, OREGON 97814

FREDERICK C. AND KAREN E. ZIMMER
ROUTE 1 BOX 148
BAKER CITY, OREGON 97814

confirms the right to use the waters of the PINE CREEK, a tributary of the SALMON CREEK, for IRRIGATION of 70.43 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 1869 FOR 68.43 ACRES AND 1889 for 2.0 acres.

The use is limited to 1.71 CUBIC FEET PER SECOND of 1869 priority and 0.05 CUBIC FOOT PER SECOND of 1889 priority, or its equivalent in case of rotation, if available at the original points of diversion:

NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 29, TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.,
JEFFERY DITCH #1 - 3040 FEET SOUTH AND 1250 FEET EAST FROM
THE NW CORNER, SECTION 29;

NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 29, TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.,
STROTHER ISON DITCH - 3040 FEET SOUTH AND 2180 FEET EAST
FROM THE NW CORNER, SECTION 29.

The point of diversion is located as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 29, TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.,
COLEMAN-FOLTZ DITCH - 1080 FEET NORTH AND 900 FEET WEST FROM
THE SE CORNER, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 29.

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:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ $\frac{1889}{2.00}$ ACRES

NE $\frac{1}{4}$ SE $\frac{1}{4}$ $\frac{1869}{37.85}$ ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ $\frac{1869}{30.58}$ ACRES

SECTION 29
TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 48927, issued in the name of JAMES W. COLEMAN AND R. G. FOLTZ, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on December 12, 1994.

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 December 12, 1994.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68412.
RM48927.KS