

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MAXWELL RANCH
GERALD O. MAXWELL
ROUTE 1, BOX 80
HAINES, OREGON 97833

confirms the right to use the waters of NORTH POWDER RIVER, a tributary of POWDER RIVER, for the purpose of SUPPLEMENTAL IRRIGATION OF 276.8 ACRES.

The right has been perfected under Permit 45216. The date of priority is DECEMBER 24, 1979. The right is limited to not more than 4.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SW 1/4, SECTION 19, T 7 S, R 38 E, W.M. 1310 FEET NORTH AND 330 FEET WEST FROM THE S 1/4 CORNER OF SECTION 19.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SW 1/4 SE 1/4 39.8 ACRES
SE 1/4 SE 1/4 39.8 ACRES
SECTION 13

NE 1/4 NE 1/4 40.0 ACRES
SECTION 24
TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.

SW 1/4 SW 1/4 38.0 ACRES
SE 1/4 SW 1/4 4.4 ACRES
SECTION 17

SW 1/4 SW 1/4 37.4 ACRES
SW 1/4 SE 1/4 36.3 ACRES
SE 1/4 SE 1/4 39.6 ACRES
SECTION 18
TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.

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NW 1/4 NW 1/4 1.5 ACRES
SECTION 19
TOWNSHIP 7 SOUTH, RANGE 39 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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed OCTOBER 10 ,
1995.

[Signature]

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68613.

59668.DLM