

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HOWELL DITCH COMPANY
RICHLAND, OREGON 97870

confirms the right to use the Seepage waters from Waterbury-Allen Ditch, a tributary of Powder River, for the Supplemental Irrigation of 276.8 acres.

This right was perfected under Permit 7227. The date of priority is March 12, 1926. The use is limited to 3.46 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:

NE 1/4 NE 1/4, Section 28, Township 9 South, Range 45 East, WM

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-EIGHTIETH 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:

NE 1/4 NE 1/4 4.0 ACRES
SW 1/4 NE 1/4 6.0 ACRES
SE 1/4 NE 1/4 8.0 ACRES
Section 35

NE 1/4 NE 1/4 17.0 ACRES
NW 1/4 NE 1/4 15.0 ACRES
NE 1/4 NW 1/4 16.5 ACRES
NW 1/4 NW 1/4 16.0 ACRES
SE 1/4 NE 1/4 30.0 ACRES
SW 1/4 NE 1/4 21.5 ACRES
SE 1/4 NW 1/4 25.5 ACRES
SW 1/4 NW 1/4 36.5 ACRES
Section 36

Township 9 South, Range 45, East, WM

NW 1/4 SE 1/4 3.5 ACRES
NE 1/4 SW 1/4 7.0 ACRES
SE 1/4 SW 1/4 3.5 ACRES
Section 20

NE 1/4 SE 1/4 3.8 ACRES
Section 30

NW 1/4 NW 1/4 3.0 ACRES
SW 1/4 NW 1/4 35.0 ACRES
NW 1/4 SW 1/4 25.0 ACRES
Section 31

Township 9 South, Range 46 East, WM

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This certificate describes that portion of the water right confirmed by the prior Certificate 7872, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered June 21, 1996 and corrects a scrivener error describing the place of use of lands irrigated in Sections 20, 30 and 31, Township 9 South, Range 46 East, WM.

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 permit.

WITNESS the signature of the Water Resources Director, affixed June 21, 1996.

/s/ Martha O. Pagel

Martha O. Pagel

Water Resources Director