

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHARLES V. HOWELL
RICHLAND, OREGON 97870

confirms the right to use the waters of Powder River, tributary of Snake River, and Daly Creek, tributary of Powder River for irrigation of 59.5 acres.

This right was confirmed by decree of the Circuit Court of the State of Oregon for CROOK 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 the year August 1863 for 17.0 acres from Daly Creek and 1890 for 42.5 acres from Powder River.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1/40 of one cubic feet per second per acre. The use hereunder shall conform to any reasonable rotation system ordered by the proper state officer.

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

Daly Creek - (priority August 1863)

NE 1/4 NE 1/4 17.0 Acres

Powder River - (priority 1890)

NW 1/4 NE 1/4 10.0 Acres

NE 1/4 NW 1/4 16.5 Acres

NW 1/4 NW 1/4 16.0 Acres

Section 36

Township 9 South, Range 45 East, WM

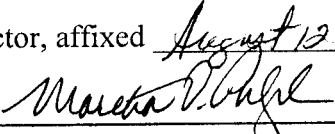
(Lands irrigated are also supplied from Eagle Creek under date of 1901 through Howell Ditch).

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 4231, Volume 5, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on August 12, 1996.

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 August 12, 1996.



Martha O. Pagel
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 72610.