

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Kerns Bros Inc.
Rural Route 1
Haines, OR 97833

confirms the right to use the waste water, a tributary of Powder River, for supplemental irrigation of 140.00 acres.

This right was perfected under Permit 8034. The date of priority is June 29, 1927. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.75 CUBIC FEET PER SECOND or its equivalent in case of rotation.

The point of diversion is located as follows:

Wastewater - water to be collected from S $\frac{1}{2}$ SE $\frac{1}{4}$ and parts of SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, & SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$, & parts of SE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, & parts of SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, & SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 8 S., R. 38 E., NW $\frac{1}{4}$ NW $\frac{1}{4}$ and parts of SW $\frac{1}{4}$ NW $\frac{1}{4}$ & NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, and SW $\frac{1}{4}$, Sec. 18, T. 8 S., R. 39 E. W.M., being all the land situated between the #1 on the North, and the Welch ditch on the South and the Wilcox ditch on the East in said Sections.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

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

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

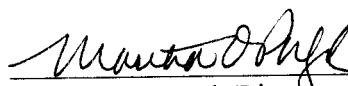
$\frac{1}{4}$ $\frac{1}{4}$	ACRES	LOT	Section	Township	Range	USE
NESE	37.80	2400	7	8 South	39 East	IS
SWSE	30.00	2400	7	8 South	39 East	IS
SESE	39.10	2400	7	8 South	39 East	IS
NWSE	33.10	2400	7	8 South	39 East	IS
Total acres	140.00					

OCT 28 1996

This certificate confirms an order of the Director entered on _____ and recorded in Special Order Volume 50, Page 735, approving a petition by Kerns Brothers Inc. under ORS 541.329 for mapping water rights within a district. This certificate supersedes certificate 7475 issued in the name of C. H., Harold P., Amenda F., & Mabel F. Colvin.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed OCT 28 1996.


Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 72614.
KERNS.CJ