

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 waters of Mill Creek, a tributary of Powder River, for the supplemental irrigation of 471.00 acres.

This right was perfected under Permits 26507 and 26504. The dates of priority are December 28, 1959 and December 29, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 5.88 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located as follows:

Bowles Ditch - SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, T 8 S, R 39 E, WM; 2640 feet East and 1280 feet North from SW corner, Section 32.

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.

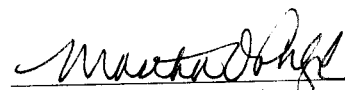
The use shall conform to such reasonable rotation as may be ordered by the proper state officer.

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

$\frac{1}{4}$ $\frac{1}{4}$	Acres	Tax Lot	Section	Township	Range	Use
NENE	40.00	4600	21	8 South	39 East	IS
NWNE	40.00	4600	21	8 South	39 East	IS
SWNE	40.00	4600	21	8 South	39 East	IS
SENE	40.00	4600	21	8 South	39 East	IS
NENW	40.00	4700	21	8 South	39 East	IS
NWNW	39.10	4700	21	8 South	39 East	IS
SENW	40.00	4700	21	8 South	39 East	IS
SWNW	39.10	4700	21	8 South	39 East	IS
NESW	39.30	4700	21	8 South	39 East	IS
NWSW	39.10	4700	21	8 South	39 East	IS
NWSE	34.40	4700	21	8 South	39 East	IS
NESE	40.00	4600	21	8 South	39 East	IS
Total acres	471.00					

This certificate confirm an order of the Director entered on OCT 28 1996, 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. These certificates supersede certificates 33795 and 33902.

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 72616.
KERNS.CJ