

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT & SUSAN HEDGPETH  
ROUTE 1, BOX 158  
BAKER CITY, OR 97814

DAVID & CAROL M. PHILLIPS  
P.O. BOX 493  
BAKER CITY, OR 97814

JEPSON BROS. RANCH CO.  
P.O. BOX 578  
CLATSKANIE, OR 97016

confirms the right to use the waters of Mill Creek, a tributary of Powder River, for the supplemental irrigation of 135.4 acres.

This right was perfected under Permit 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	Owner	Use
SESE	39.20	900	15	8 South	39 East	Jepson	IR
NENW	24.30	5200	22	8 South	39 East	Phillips	IS
NWNW	40.00	5200	22	8 South	39 East	Phillips	IS
SWNW	40.00	5200	22	8 South	39 East	Phillips	IS
SENW	31.10	5200	22	8 South	39 East	Phillips	IS
NENE	30.00	5000	22	8 South	39 East	Hedgpeth	IR
NWNE	29.60	5000	22	8 South	39 East	Hedgpeth	IR
Total acres	234.20						

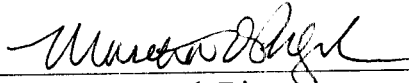
This certificate describes that portion of the water right confirmed by Certificate 33902, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Director entered on OCT 28 1996, and recorded in Special Order Volume 50, page 735, approving a petition by Kerns Brothers, Inc. under ORS 541.329.

The issuance of this superseding certificate does not confirm the status of the water right in

reference to 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 OCT 28 1996.

  
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Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 72624.

KERNS.CJ