

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W.A. OWEN
HAINES, OREGON 97833

confirms the right to use the waters of ROCK CREEK, a tributary of the POWDER RIVER, for IRRIGATION of 160.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for BAKER County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at Page 291. The dates of priority are 1884 for Tract 1 and 1882 for Tract 2.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1/40th of one cubic foot per second per acre, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

Tract 1: Owen-Cartmill Ditch.

Tract 2: Anderson Morris Ditch in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 36, T 7 S, R 38 E, WM; 797 FEET NORTH AND 377 FEET WEST FROM THE SE CORNER OF THE SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 36;

Owen Ditch in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 34, T 7 S, R 38 E, WM; 463 FEET NORTH AND 594 FEET WEST FROM THE E $\frac{1}{4}$ CORNER, SECTION 34.

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

TRACT 1

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES

SECTION 1

TOWNSHIP 8 SOUTH, RANGE 38 EAST, W.M.

TRACT 2

ANDERSON MORRIS DITCH OWEN DITCH

E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20.0 ACRES
W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20.0 ACRES

SECTION 6

TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 4390, State Record of Water Right Certificates, NOT modified by the provisions of an order of the State Engineer Entered March 4, 1958, approving Transfer D-74, and an order of the Water Resources Director entered OCT 14 1996, approving Transfer Application 6995.

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 OCT 14 1996.

/s/ MARTHA O. PAGEL

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 73167.

T-6995.LHN