

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

POWDER VALLEY WATER CONTROL DISTRICT
P.O. BOX 189
NORTH POWDER, OREGON 97867

confirms the right to use the waters of ROCK CREEK, a tributary of POWDER RIVER, for IRRIGATION 280.0 ACRES.

This right was confirmed by decree of the circuit Court of the State of Oregon for BAKER County. The decree is of record in Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at Page 291. The dates of priority are 1872 and 1879.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 7.0 CUBIC FOOT PER SECOND or its equivalent in case of rotation.

The points of diversion are located as follows:

- 1 - NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 7 South, Range 38 East, W.M.; 2960 feet South and 3040 feet West from the NE corner, Section 34. (Rock Creek Pipeline)
- 2 - SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 7 South, Range 38 East, W.M. (Fisher-Long Ditch)
- 3 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 7 South, Range 38 East, W.M. (Fisher Ditch)

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-FORTIETH of one cubic foot per second per acre for each acre irrigated during the irrigation season of each year.

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

PRIORITY 1872 - Fisher-Long Ditch and pipeline

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

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

SECTION 26

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES

SECTION 23

TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.

PRIORITY 1879 - Fisher Ditch and pipeline

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

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

SECTION 23

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES

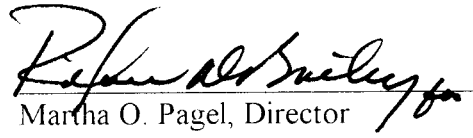
SECTION 23

TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 4316, State Record of Water Right Certificates, modified by the provisions of an order of the Water Resources Director entered December 29, 1989, approving Transfer Application 6286, Volume 43, page 511 was amended by Contest Case No. ACC 96-1.

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 November 19, 1996.


Martha O. Pagel, Director

Recorded in the State Record of Water Right Certificates numbered 73412.

T-6286.VC