

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARL A. & FRED WARNER  
ROUTE 2 BOX 135  
BAKER CITY, OREGON 97814

confirms the right to use the waters of WASTE WATER FROM THE POWDER RIVER for IRRIGATION OF 179.3 ACRES.

This right was perfected under Permit 11973. The date of priority is NOVEMBER 21, 1935. This right is limited to 4.48 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$  NW $\frac{1}{4}$  AND NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 17, NE $\frac{1}{4}$  AND N $\frac{1}{2}$  SE $\frac{1}{4}$ , SECTION 18, T8S, R40E, W.M.

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 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:

SE 1/4 NE 1/4	40.0 acres
NE 1/4 SE 1/4	40.0 acres
SE 1/4 SE 1/4	40.0 acres
Section 12	
TOWNSHIP 8 SOUTH, RANGE 39 EAST,	W.M.
SW 1/4 NW 1/4	40.0 acres
NW 1/4 SW 1/4	19.3 acres
Section 7	
TOWNSHIP 8 SOUTH, RANGE 40 EAST,	W.M.

This certificate describes that portion of the water right confirmed by certificate 11560, issued in the name of Carrie L. Kinnison, Lilith B. Allen, Martha J. Ison and Ora P. Foster, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on FEB 25 1997 and recorded in Special Order Volume 51, page 148 approving a petition by Baker Valley Irrigation District 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 purposes 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

FEB 25 1997



Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 73522.  
11560.VC