

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WARD AGRICULTURAL PROPERTIES
1500 H STREET
BAKER CITY, OR 97814

confirms the right to use the waters of THREE WELLS in the POWDER BASIN for IRRIGATION AND SUPPLEMENTAL IRRIGATION.

This right was perfected under Permit U-165. The date of priority is JUNE 23, 1945. This right is limited to 7.176 CUBIC FEET PER SECOND, BEING 2.00 CFS EACH FROM WELLS NOS. 1 AND 2 AND 1.58 CFS EACH FROM WELL NOS. 4 AND 6, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL NO. 1: SE $\frac{1}{4}$ NW $\frac{1}{4}$, WELL NO. 2: SW $\frac{1}{4}$ NE $\frac{1}{4}$, WELL NO. 6: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 7, TOWNSHIP 9 SOUTH, RANGE 40 EAST, W.M., WELL NO. 4: SW $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 9 TOWNSHIP 9 SOUTH, RANGE 40 EAST, 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 (or its equivalent) 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:

SUPPLEMENTAL IRRIGATION

SW $\frac{1}{4}$ NE $\frac{1}{4}$	38.5	ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	36.3	ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	37.1	ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.6	ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	36.8	ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0	ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0	ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	38.9	ACRES

SECTION 6

SW $\frac{1}{4}$ NE $\frac{1}{4}$	15.3	ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	39.4	ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	38.6	ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	41.05	ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	39.09	ACRES

SECTION 7

SW $\frac{1}{4}$ SW $\frac{1}{4}$	35.6	ACRES
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SECTION 9

TOWNSHIP 9 SOUTH, RANGE 40 EAST, W.M.

PRIMARY IRRIGATION

NW $\frac{1}{4}$ SW $\frac{1}{4}$	20.0	ACRES
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SECTION 9

TOWNSHIP 9 SOUTH, RANGE 40 EAST, W.M

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 19798, 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 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 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 73529.

U-165.VC