

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HARRELL LAND AND LIVESTOCK LTD
ROUTE 1 BOX 51
BAKER CITY, OR 97814

confirms the right to use the waters of POWDER RIVER, a tributary of SNAKE RIVER for IRRIGATION OF 39.7 ACRES.

This right was perfected under Permit 30544. The date of priority is June 2, 1965. This right is limited to 0.99 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:

870 feet North and 150 feet East from SW corner NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21; being within NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, 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 and 3.5 acre-feet 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 $\frac{1}{4}$ SE $\frac{1}{4}$ 39.7 acres
Section 12
TOWNSHIP 9 SOUTH, RANGE 39 EAST, W.M.

This certificate describes that portion of the water right confirmed by certificate 38194, issued in the name of Edythe McElroy and Alene Brown, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on ~~FEB 25 1997~~ approving a petition by the 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 73535.

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