

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

S.S.I. LAND AND CATTLE CO.  
P.O. BOX 628  
BAKER CITY, OREGON 97814

CHARLES COLTON  
ROUTE 2 BOX 140  
BAKER CITY, OREGON 97814

confirms the right to use the waters of POWDER RIVER, a tributary of SNAKE RIVER for IRRIGATION of 90.0 acres of land.

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 1902 for Tract 1, 1867 for Tracts 2 and 3.

The use is limited to 2.25 CUBIC FEET PER SECOND, being 0.25 cfs for tract 1 and 1.0 cfs for tract 2, and 1.0 cfs for tract 3, or its equivalent in case of rotation.

The points of diversion are located as follows:

TRACT 1 - LILLEY: NE 1/4 NE 1/4, SECTION 11, T 8 S, R 39 E, W.M.; 270 FEET SOUTH & 340 FEET WEST FROM NE CORNER, SECTION 11

TRACT 2 - ELLIOTT EAST 2 DITCH: NE 1/4 NE 1/4, SECTION 7, T 8 S, R 40 E, W.M.; 390 FEET SOUTH & 1200 FEET WEST FROM NE CORNER, SEC. 7

TRACT 3 - ISON EAST 1 DITCH: SE 1/4 NW 1/4, SECTION 8, T 8 S, R 40 E, W.M.; 2670 FEET NORTH & 1430 FEET EAST FROM SW CORNER, SEC. 8

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.

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

TRACT 1  
NE $\frac{1}{4}$  SE $\frac{1}{4}$  10.0 acres  
Section 10  
Township 8 South, Range 40 East, W.M.

TRACT 2  
SW $\frac{1}{4}$  SE $\frac{1}{4}$  40.0 acres  
Section 6  
Township 8 South, Range 40 East, W.M.

TRACT 3  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  40.0 acres  
Section 6  
Township 8 South, Range 40 East, W.M.

This certificate describes that portion of the water right confirmed by Certificate 4396, issued in the name of J.H. Parker Estate, 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 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 decree.

Witness the signature of the Water Resources Director, affixed

FEB 25 1997.

  
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Martha O. Pagel  
Oregon Water Resources Director

Recorded in State Record of Water Right Certificates numbered 73581.

4396.vc