

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, BIG MUDDY CREEK, and LITTLE MUDDY CREEK, a tributary of POWDER RIVER, for IRRIGATION 200.0 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 1880 and 1891.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 5.0 CUBIC FEET 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 - SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 7 South, Range 38 East, W.M. (Maxwell Ditch)
Rock Creek

3 - NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, Township 7 South, Range 38 East, W.M. (Maxwell Ditch)
Big Muddy Creek

4 - SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 7 South, Range 38 East, W.M. (Maxwell Ditch)
Little Muddy Creek

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 DATE: 1891
ROCK CREEK, BIG MUDDY CREEK, AND LITTLE MUDDY CREEK
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SECTION 24
TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.

PRIORITY DATE: 1880
ROCK CREEK, BIG MUDDY CREEK, AND LITTLE MUDDY CREEK
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 27.5 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 22.8 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.5 ACRES
SECTION 24
TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.

PRIORITY DATE: 1880
ROCK CREEK AND BIG MUDDY CREEK
NE¼ SW¼ 12.5 ACRES
NE¼ SE¼ 26.5 ACRES
NW¼ NE¼ 17.2 ACRES

SECTION 24
TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.

This certificate is issued to confirm a change in point of diversion approved by orders of the Water Resources Director entered December 29, 1989 and September 24, 1991, approving Transfer 6074, and together with Certificate 73404 supersedes Certificate 4337, State Record of Water Right Certificates

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 DEC 01 1997.

/s/ MARTHA O. PAGEL
Martha O. Pagel, Director

Recorded in the State Record of Water Right Certificates numbered 73611.

T-6074.VC