

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Marcus Sackos
1405 Campbell Street
Baker City, OR 97814

confirms the right to use the Pine Creek, a tributary of Powder River, for irrigation of 194.8 acres.

This right was perfected under Permit 26506. The date of priority is December 28, 1959 for 3.0 cubic feet per second (cfs) and December 29, 1959 for 1.875 cfs. The use is limited to 4.875 cfs or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SW 1/4, Section 32, Township 8 South, Range 39 East, WM; 1280 feet North and 2640 feet East from SW corner Section 32.

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 and shall be further limited to a diversion of not to exceed 3 1/2 acre feet 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:

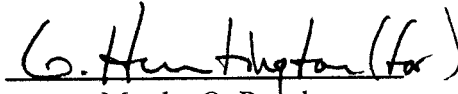
NW 1/4 SE 1/4 39.2 ACRES
SW 1/4 SE 1/4 40.0 ACRES
SE 1/4 SE 1/4 37.8 ACRES
Section 20
NE 1/4 NE 1/4 37.8 ACRES
NW 1/4 NE 1/4 40.0 ACRES
Section 29
Township 8 South, Range 39 East, WM

This certificate describes that portion of the water right confirmed by the prior Certificate 33793, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered JAN 16, 1997.

The issuance of this superseding certificate does not confirm the status of the water right in regard 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 Jan 16, 1997.


Martha O. Pagel
Water Resources Director

Recorded in State Record of Water Right Certificates, numbered 73613.