

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JIM C. & RHEA M. PATTON
RT. 1, BOX 47-H
NORTH POWDER, OREGON 97867

confirms the right to use the waters of NORTH POWDER RIVER, a tributary of POWDER RIVER, for IRRIGATION OF 0.9 ACRES, DOMESTIC AND STOCK.

This right was confirmed by decree of the Circuit Court of the State of Oregon for UNION County. The Decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at Page 252. The date of priority is 1871.

The right is limited to an amount actually beneficially used for said purposes, and for irrigation use, shall not exceed 0.0225 cubic foot per second from March 1 to July 1 and 0.0112 cubic foot per second from July 1 to October 1, or its equivalent in case of rotation, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The point of diversion is:

Hillside Ditch (Gardner Mill Race and Hillside laterals) - NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5, Township 7 South, Range 38 East, W.M.; 140 feet South and 2380 feet West from NE corner, Section 5.

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

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.9 ACRES
SECTION 33

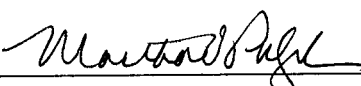
TOWNSHIP 6 SOUTH, RANGE 38 EAST, W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 1469, issued in the name of J.H. Hutchinson, State Record of Water Right Certificates, modified by the provisions of an order of the Water Resources Director entered on August 7, 1978, approving Transfer Number 3889, recorded at Special Order Volume 31, Page 138, not modified by the provisions of an order of the Water Resources Director entered on May 15, 1996, and recorded at Special Order Volume 50, Page 252, approving a petition by Richard Stephens under ORS 541.329.

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 Decree.

WITNESS the signature of the Water Resources Director, affixed January 21, 1997


Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 73626.