

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS J. AND MAY LEE HERIZA
411 E. 11TH AVE.
SPOKANE, WA 99202

Confirms the right to use the waters of GOOSE CREEK, a tributary of POWDER RIVER, for IRRIGATION OF 103.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for BAKER County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at Page 291. The dates of priority are 1869 for 95.0 acres and 1885 for 8.0 acres.

The use is limited to 5.15 CUBIC FEET PER SECOND, or its equivalent in case of rotation.

The point of diversion is located as follows:

LOVE-INGLE DITCH - NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 29, Township 8 South, Range 43 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-TWENTIETH of one cubic foot per second (or its equivalent) 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:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 8.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
SECTION 32

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 15.0 ACRES
SECTION 33
TOWNSHIP 8 SOUTH, RANGE 43 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 4319, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on DEC 30 1997 approving a petition by the Lower Powder River Irrigation District 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 DEC 30 1997.

/s/ MARTHA O. PAGEL

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 74053.