

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DONALD H. AND FLORA M. HUBBS
KEATING STAR RT.
BAKER CITY, OR 97814

Confirms the right to use the waters of BALM CREEK, a tributary of POWDER RIVER, for IRRIGATION OF 90.5 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 date of priority is 1891.

That the amount of water entitled and hereby confirmed for this right, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2.26 cubic feet per second during the irrigation season of each year, or its equivalent in case of rotation.

The point of diversion is located as follows:

- ▶ CRANSTON DITCH - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 17, Township 8 South, Range 42 East, WM., 880 feet East of the West quarter corner, section 17.

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 during the irrigation season of each year.

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

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.0 ACRES
SECTION 24

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 22.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 8.5 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 38.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20.0 ACRES
SECTION 25
TOWNSHIP 8 SOUTH, RANGE 42 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 4092, 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 74055.