

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DONALD AND MARTHA HILL
OLD WINGVILLE ROAD
BAKER CITY, OREGON 97814

SSI LAND AND CATTLE COMPANY
PO BOX 628
BAKER CITY, OREGON 97814

confirms the right to use the waters of MILL CREEK (aka WAGGIE CREEK), SALMON CREEK, AND SPRINGS IN THE N½ SW¼, SECTION 3, TOWNSHIP 9 SOUTH, RANGE 39 EAST, W.M., tributary of the POWDER RIVER, for IRRIGATION OF 286.4 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 1867.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE-FORTIETH OF ONE CUBIC FOOT PER SECOND PER ACRE; AND SHALL BE SUBJECT TO ALL OTHER CONDITIONS AND LIMITATIONS CONTAINED IN SAID DECREE CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SALMON CREEK:	ADAMS 1 DITCH
MILL CREEK (aka WAGGIE CREEK):	ADAMS 2 AND 3 DITCHES
SPRING CREEK:	ADAMS 4 DITCH
SALMON CREEK:	ADAMS 5 DITCH
SPRINGS:	

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

	<u>SALMON CREEK</u>	<u>MILL CREEK SPRING CREEK</u>	<u>SALMON CREEK SPRING CREEK SPRINGS</u>
NE¼ SW¼		39.1 ACRES	
NW¼ SW¼		40.0 ACRES	
SW¼ SW¼	20.0 ACRES		
SE¼ SW¼	29.1 ACRES		

SECTION 34
TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

NE¼ NW¼	39.1 ACRES
NW¼ NW¼	40.0 ACRES
SW¼ NW¼	40.0 ACRES
SE¼ NW¼	39.1 ACRES

SECTION 3
TOWNSHIP 9 SOUTH, RANGE 39 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3972, State Record of Water Right Certificates, NOT cancelled or modified by the provisions of orders of the Water Resources Director entered 9/29/97, cancelling a portion of the right and approving Transfer Application 6636.

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 9/29/97.

/s/ MARTHA O. PAGEL

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 74090.

T-6636.LHN