

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HART ESTATE INVESTMENT COMPANY
P.O. BOX 21
NORTH POWDER, OR 97867

confirms the right to use the waters of POWDER RIVER, a tributary of SNAKE RIVER for IRRIGATION of 106.6 acres of land.

This right was confirmed by decree of the Circuit Court of the State of Oregon for BAKER and UNION Counties. The decree is on record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at Page 252. The date of priority is 1883.

The amount of water used entitled and hereby confirmed for the purposes aforesaid is limited to an amount actually beneficially used and shall not exceed 2.67 CUBIC FEET PER SECOND from March 1st to July 1st and 1.33 CUBIC FEET PER SECOND from July 1st to October 1st or its equivalent in case of rotation. This right is further limited to a total diversion not to exceed 2½ acre feet for each acre irrigated, or 266.5 acre feet, during the irrigation season of each year.

The point of diversion is located as follows:

Travillion Ditch: NE¼ NW¼, Section 12, Township 7 South, Range 39 East, W.M.; 660 feet South and 1360 feet East from Northwest corner Section 12.

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

SW¼ SE¼	26.6 acres
SW¼ NE¼	40.0 acres
NW¼ SE¼	40.0 acres

Section 35

Township 6 South, Range 39 EAST, W.M.

This certificate confirms that portion of the water right confirmed by certificate 48994, State Record of Water Right Certificates, NOT modified by the provisions of, an order of the Water Resources Director entered on APR 10 1997 approving a co-petition by the Douglas R. Standford under ORS 541.329.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610 pertaining to forfeiture or abandonment.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The right to the use of the water for the above purposes 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

APR 10 1997


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75329.

48994rm.LP