

STATE OF OREGON  
 COUNTY OF BAKER  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THE HART INVESTMENT COMPANY  
 P.O. Box 21  
 North Powder, OR 97867

confirms the right to use the waters of the POWDER RIVER, a tributary of the SNAKE RIVER, for IRRIGATION of 172.1 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 1883.

The use is limited to not more than 4.30 CUBIC FOOT PER SECOND or its equivalent in case of rotation.

The point of diversion is located as follows:            TRAVILLION KOESTER DITCH

SW ¼ NW ¼, SECTION 1, T 7 S, R 39 E, WM; BEING 200 FEET NORTH AND  
 870 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 1.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated.

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

|         |      |       |         |      |       |
|---------|------|-------|---------|------|-------|
| SW¼ NE¼ | 2.7  | ACRES | NE¼ NE¼ | 2.4  | ACRES |
| SE¼ NW¼ | 1.8  | ACRES | NW¼ NE¼ | 37.2 | ACRES |
| NE¼ SW¼ | 13.0 | ACRES | SW¼ NE¼ | 1.7  | ACRES |
| SE¼ SW¼ | 2.5  | ACRES | NE¼ NW¼ | 4.0  | ACRES |
| NE¼ SE¼ | 12.7 | ACRES |         |      |       |
| NW¼ SE¼ | 37.5 | ACRES |         |      |       |
| SW¼ SE¼ | 39.2 | ACRES |         |      |       |
| SE¼ SE¼ | 17.4 | ACRES |         |      |       |

SECTION 1  
 TOWNSHIP 7 SOUTH, RANGE 39 EAST,  
 W.M.

SECTION 36  
 TOWNSHIP 6 SOUTH, RANGE 39 EAST  
 W.M.

SEE NEXT PAGE

SUPERSEDED BY  
 CERT. NO. 88220

This certificate describes that portion of the water right confirmed by Certificate 64203, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 24 1998, approving Transfer Application 7095.

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 JUN 24 1998.

/s/ Tom Paul for  
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75718

T-7095.SLH