

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEORGE BRYAN
ROUTE 1, BOX 58
RICHLAND, OR 97870

J. GASTON AND L. FINK
4620 CATALPA
BOISE, ID 83700

confirms the right to use the waters of EAGLE CREEK, a tributary of POWDER RIVER, for IRRIGATION OF 21.0 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 date of priority is 1887 FOR TRACT 1 AND 1885 FOR TRACT 2.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.53 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

TRACT 1 - MOODY DITCH - 2130 FEET NORTH AND 650 FEET EAST FROM THE SW CORNER OF SECTION 3, T 9 S, R 45 E W.M..

TRACT 2 - NEWT YOUNG DITCH - 1950 FEET SOUTH AND 1400 FEET EAST FROM THE NW CORNER OF SECTION 33, T 8 S, R 45 E, 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 ONE-FORTIETH of one cubic foot per second per acre, 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:

TRACT NO. 1
SE 1/4 SW 1/4 5.5 ACRES (DOSHIER-BRYAN)
SE 1/4 SW 1/4 5.5 ACRES (FINK-GASTON)

SECTION 3
TOWNSHIP 9 SOUTH, RANGE 45 EAST W.M.

TRACT NO. 2
N 1/2 OF SE 1/4 SW 1/4 4.0 ACRES
N 1/2 OF SW 1/4 SE 1/4 4.0 ACRES

SECTION 10
N 1/2 OF NW 1/4 NE 1/4 2.0 ACRES
SECTION 10
TOWNSHIP 9 SOUTH, RANGE 45 EAST W.M.

THIS CERTIFICATE IS ISSUED TO SUPERSEDE CERTIFICATE 73617 AS ORDERED BY COURT JUDGE MILO POPE ON DECEMBER 19, 1994. THE ORDER IS RECORDED IN ORDER RECORD VOLUME 19, PAGE 108.

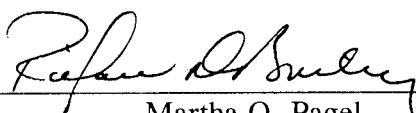
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The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 AUGUST 31, 1998.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75782.