

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Edward & Lorna Dayen
Route 1, Box 95
Richland, OR 97870

Patricia Jane Lockwood
Box 258
Richland, OR 97870

confirms the right to use the waters of Eagle Creek, a tributary of POWDER RIVER for IRRIGATION of 22.00 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 1881.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.55 CUBIC FEET PER SECOND or the equivalent in case of rotation.

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 the equivalent for each acre irrigated during the irrigation season of each year, and shall be subject to all other conditions and limitations contained in said decree.

The point of diversion is located as follows:

Nash Ditch SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10, T9S, R45E, WM; 590 feet North and 2720 feet East from Southwest corner Section 10, T9S, R45E, WM.

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

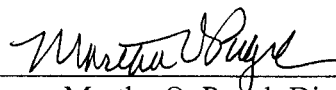
12.00 Acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
10.00 Acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 22
Township 9 South, Range 45 East, W.M.

This certificate describes that portion of the water right confirmed by Certificate 4613, issued in the name of Samuel Brown, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered on FEB 16 1999 approving petitions by the Dry Gulch Ditch Company and the Waterbury - Allen Ditch Improvement District under ORS 541.329. This certificate together with certificates 75355 and 75363 supersede Certificate 4613.

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 right to the use of the water for the above purposes is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed 2/16/99.


Martha O. Pagel, Director