

STATE OF OREGON  
COUNTY OF BAKER  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

John W. Wright Trust  
Route 1, Box 36  
Richland, OR 97870

Richard & Karen Sittel  
PO Box 328  
Richland, OR 97870

confirms the right to use the waters of Eagle Creek, a tributary of POWDER RIVER for IRRIGATION of 44.70 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 1888. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.12 CUBIC FEET PER SECOND or the equivalent in case of rotation.

The points of diversion are located as follows:

Holstine Ditch      NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 3, T9S, R45E, W.M.; 2060' North and 610' East  
from the Southwest corner of Section 3, T9S, R45E, W.M.

Newt Young Ditch      SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 33, T9S, R45E, W.M.; 1950' South and 1400' East  
from the Northwest corner of Section 33, T9S, R45E, W.M.

The amount of water used for irrigation is limited to a diversion of 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.

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

Holstine Ditch  
7.20 Acres      NE $\frac{1}{4}$  NW $\frac{1}{4}$   
1.50 Acres      SE $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 10

Newt Young Ditch  
23.00 Acres      NE $\frac{1}{4}$  SE $\frac{1}{4}$   
13.00 Acres      SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 10

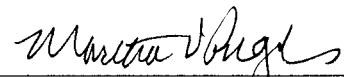
Township 9 South, Range 45 East, W.M.

This certificate describes that portion of the water right confirmed by Certificate 49633, issued in the name of W. E. Summers, 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 and under ORS 541.329. This certificate, together with certificates 75363 and 75355, supersedes Certificate 49633.

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 purpose 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

49633.TR

Recorded in State Records of Water Right Certificates numbered 75851.