

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DRY GULCH DITCH COMPANY
ROUTE 1, BOX 102A
RICHLAND, OR 97870

confirms the right to use THE WATERS OF AN UNNAMED DRAINAGEWAY, A.K.A. DRY GULCH, AN UNNAMED SPRING, tributaries of POWDER RIVER, tributary of SNAKE RIVER for SUPPLEMENTAL IRRIGATION OF 4.5 ACRES AND DOMESTIC USE FOR ONE FAMILY.

This right was perfected under Permit 45473.

The dates of priority are March 17, 1980, for DOMESTIC USE and SEPTEMBER 10, 1980, for SUPPLEMENTAL IRRIGATION.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.11 CUBIC FOOT PER SECOND from an Unnamed Drainageway for supplemental irrigation; and 0.005 CUBIC FOOT PER SECOND from an Unnamed Spring for domestic use or the equivalent in case of rotation measured at the points of diversion from the sources.

The points of diversion are located as follows:

- | | | |
|-----|--|---|
| #19 | Unnamed Drainage Way
(a.k.a. Dry Gulch) | SE¼ SE¼, Section 17, T9S, R45E, W.M.; 450' North
and 750' West from the Southeast corner of Section 17,
T9S, R45E, W.M. |
| #20 | Unnamed Spring >
Powder River | NW¼ NW¼, Section 21, T9S, R45E, W.M.; 230' South
and 650' East from the Northwest corner, Section 21, T9S,
R45E, 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 a diversion of ONE-FORTIETH of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3½ acre feet per acre for each acre irrigated during the irrigation season of each year. The right shall be limited to any deficiency in the available supply of any prior right for the same land and shall conform to any reasonable rotation system as may be ordered by the proper state officer.

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

Supplemental Irrigation
2.30 Acres NE¼ NE¼
Section 20
2.20 Acres NW¼ NW¼
Section 21
Township 9 South, Range 45 East, W.M.

SEE NEXT PAGE

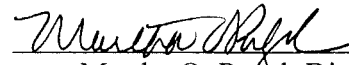
Recorded in State Record of Water Right Certificates numbered 75854.

Domestic Use
NW¼ NW¼
Section 21
Township 9 South, Range 45 East, W.M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

This certificate supersedes Certificate 61726 and confirms an order of the Water Resources Director entered on FEB 16 1999 approving a petition by Dry Gulch Ditch Company under ORS 541.329 for mapping water rights within a district.

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


Martha O. Pagel, Director