

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WALBURGA LACHNER
BAKER, OR 97814

confirms the right to use the water of the POWDER RIVER, a tributary of the SNAKE RIVER, and SPRINGS IN NW¼ SW¼ SECTION 34 for IRRIGATION of 101.27 ACRES.

The right was confirmed by decree of Circuit Court of the State of Oregon for Baker County and is of record in the Order Record of the Water Resources Director in Volume 6, Page 291. The date of priority is 1887 for Tract No. 1; July 5, 1902, for Tract No. 2; and 1887 for Tract No. 3. The amount of water to which such right is entitled for the purpose aforesaid is limited to an amount actually beneficially used for said purpose and shall not exceed ONE FORTIETH OF ONE CUBIC FOOT PER SECOND PER ACRE, and shall be subject to all other conditions and limitations contained in said decree.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

TRACT NO. 1 (FROM POWDER RIVER)
SW¼ NE¼ 11.27 ACRES
SECTION 16
TOWNSHIP 9 SOUTH, RANGE 40 EAST, W.M.

TRACT NO. 2 (FROM POWDER RIVER)
SW¼ NW¼ 40.00 ACRES
SE¼ NW¼ 40.00 ACRES
SECTION 34
TOWNSHIP 8 SOUTH, RANGE 40 EAST, W.M.

TRACT NO. 3 (FROM SPRINGS IN NW¼ SW¼ SECTION 34)
SW¼ SW¼ 10.00 ACRES
SECTION 34
TOWNSHIP 7 SOUTH, RANGE 40 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 4293, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered DEC 02 1998, canceling a portion of said water right.

The issuance of this superseding certificate does not confirm the status of the water right in regards 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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed DEC 02 1998.

/s/ MARTHA O. PAGEL

Martha O. Pagel, Director