

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EDWIN C. AND BEVERLY M. WHITE
867 MINGO MOUNTAIN ROAD
KETTLE FALLS, WASHINGTON 99141

Supplemental to
Certificate No. 76019

confirms the right to use the waters of MANNING CREEK, a tributary of BURNT RIVER, for IRRIGATION OF 11.0 ACRES.

This right has been perfected under Permit 42791. The date of priority is APRIL 25, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.275 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 SW 1/4, SECTION 35, T 11 S, R 43 E, W.M.; 3440 FEET SOUTH AND 1860 FEET EAST FROM THE NW CORNER SECTION 35; 2400 FEET NORTH AND 220 FEET EAST FROM THE SW CORNER SECTION 35.

The use allowed herein may be made any time between OCTOBER 1 AND MARCH 31 when water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season. 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 and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the period from APRIL 1 TO SEPTEMBER 30, and shall be further limited to a diversion of NOT TO EXCEED 1.0 ACRE-FOOT PER ACRE for each acre irrigated during the period from OCTOBER 1 TO MARCH 31, provided further that the right allowed herein SHALL NOT EXCEED 3.0 ACRE-FEET for each acre irrigated in any one year. The use of water during the period OCTOBER 1 TO MARCH 31 as authorized herein shall not establish priority of right as against future appropriation of surface water for beneficial uses or for storage for such beneficial uses, other than similar rights for irrigation from OCTOBER 1 TO MARCH 31. Sufficient flow shall be left in MANNING CREEK to provide stockwater and domestic water throughout its course during the period of use authorized herein.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

NE 1/4 SE 1/4 6.0 ACRES
SECTION 34

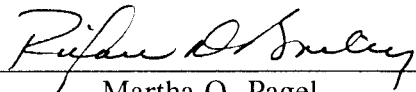
NE 1/4 SW 1/4 0.1 ACRE
NW 1/4 SW 1/4 4.9 ACRES
SECTION 35

TOWNSHIP 11 SOUTH, RANGE 43 EAST, W.M.

SEE NEXT PAGE

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. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed JANUARY 20, 1999.


Martha O. Pagel

Witnessed by
Cert. No. 76019

Recorded in State Record of Water Right Certificates numbered 75964.