

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

confirms the right to use the waters of MANNING CREEK, a tributary of the BURNT RIVER, for IRRIGATION OF 16.0 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 8, at Page 134. The date of priority is 1879.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 3.0 ACRE-FEET PER ACRE DURING ANY IRRIGATION SEASON with the further limitations contained in Paragraph 64 of said decree.

The point of diversion is located as follows:

NW 1/4 SE 1/4, SECTION 35, T 11 S, R 43 E, W.M.; 2830 FEET SOUTH AND 3370 FEET EAST FROM THE NW CORNER SECTION 35.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right.

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

SE 1/4 NE 1/4 15.1 ACRES  
SECTION 34  
SW 1/4 NW 1/4 0.9 ACRE  
SECTION 35  
TOWNSHIP 11 SOUTH, RANGE 43 EAST, W.M.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

The diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the wateruser is entitled; and

The type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 3, 1977, and together with Certificate 44926, supersedes Certificate 33008, State Record of Water Right Certificates.

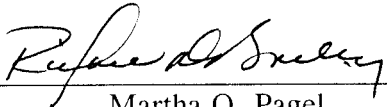
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T-3639.KDD

The issuance of this superseding certificate does not confirm the status of the water right in regard 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 and is subject to all other conditions and limitations contained in said decree.

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

  
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Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75965.