

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM N. GARDNER
NORTH POWDER, OREGON

confirms the right to use the waters of NORTH POWDER RIVER, a tributary of POWDER RIVER, for DOMESTIC, STOCK AND IRRIGATION OF 87.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Union County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at Page 252. The dates of priority are 1871 for 30 acres, 1875 for 37 acres, 1895 for 20 acres, and 1862 for domestic and stock use.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.18 CUBIC FEET PER SECOND from March 1st to July 1st, and shall not exceed 1.09 CUBIC FOOT PER SECOND from July 1st to October 1st of each year. The total quantity diverted during each irrigation season shall not exceed 217.5 acre feet.

The point of diversion is identified as follows:

Hunsacker Powers Company Ditch

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

NE $\frac{1}{4}$ NW $\frac{1}{4}$	17.0	ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	21.0	ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	21.0	ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	28.0	ACRES

SECTION 33

TOWNSHIP 6 SOUTH, RANGE 38 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 1468, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APRIL 15, 1996, and entered in Special Order Volume 50, Page 204, approving a petition by Gerald Loennig under the provisions of ORS 541.329. This Certificate together with Certificate 72203, supercedes Certificate 1468.

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 APR 21 1999

/s/ MARTHA O. PAGEL

Martha O. Pagel, Director