

STATE OF OREGON  
COUNTY OF BAKER  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HELEN G. FISHER  
c/o RICHARD D. STEPHENS  
RT. 1, BOX 65-A  
HAINES, OR 97833

confirms the right to use the waters of ROCK CREEK, a tributary of POWDER RIVER, for IRRIGATION OF 80.0 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 6, at Page 291. The date of priority is 1880.

The use is limited to 1/40 CUBIC FOOT PER SECOND PER ACRE, if available at the authorized point of diversion, or its equivalent in case of rotation, measured at the point of diversion at the source.

The points of diversion are located as follows:

MAXWELL DITCH (OLD DIVERSION) - SE 1/4 NW 1/4, SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 EAST, W.M.; AND

FISHER DITCH (NEW ADDITIONAL DIVERSION) - SE 1/4 NE 1/4, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.; 500 FEET NORTH AND 730 FEET WEST FROM THE E 1/4 CORNER OF SECTION 34.

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

SE 1/4 SW 1/4      40.0 ACRES  
SECTION 24

NE 1/4 NW 1/4      40.0 ACRES  
SECTION 25  
TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion.

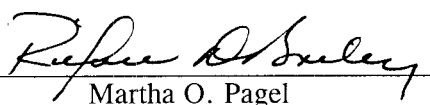
The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

This certificate is issued to confirm AN ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered JANUARY 23, 1995, and together with Certificate 68433, supersedes Certificate 4150, State Record of Water Right Certificates.

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 JULY 12, 1999.

  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76253.