

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ESTELLA (MRS. ORSON) SUMMERS
ROUTE 1, BOX 16
HALFWAY, OREGON 97834

SUPERSEDED BY
CERT. NO. 76491

confirms the right to use the waters of PINE CREEK, a tributary of THE SNAKE RIVER, for IRRIGATION OF 22.0 ACRES AND STOCK.

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 11, at Page 235. The date of priority is 1903.

The use is limited to CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

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.

The point of diversion is located as follows:

NE 1/4 NE 1/4, SECTION 22, T 7 S, R 45 E, W.M.; POSEY VALLEY DITCH - 170 FEET SOUTH AND 200 FEET WEST FROM THE SE CORNER OF SECTION 15.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second per acre, measured at the point of diversion, and a total limitation of one acre-foot per acre during July, one acre-foot per acre during August, and one-half acre-foot per acre during September, of each year.

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

NW 1/4 SW 1/4 22.0 ACRES AND STOCK
SECTION 7
TOWNSHIP 8 SOUTH, RANGE 46 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 water user is entitled; and

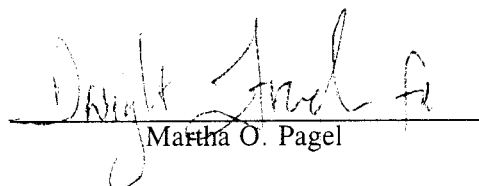
The type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

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.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered October 19, 1978, and together with Certificate 47046, supersedes Certificate 10370, 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.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 28, 2000.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76425.