

STATE OF OREGON

COUNTY OF BAKER COUNTY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID AND DONA SCHMITT  
48017 CORNUCOPIA HIGHWAY  
HALFWAY, OREGON 97834-9711

HENRY AND CAROL ANN HARRIS TRUST  
36190 MCFADDEN LANE  
HALFWAY, OREGON 97834

confirms the right to use the waters of PINE CREEK, a tributary of SNAKE RIVER, for IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 7.1 ACRES, DOMESTIC 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 1883 for IRRIGATION and 1891 for SUPPLEMENTAL IRRIGATION.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 4.20 MINERS INCHES (0.10 cfs) with priority 1883 and 2.62 MINERS INCHES (0.06 cfs) with priority 1891, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

FOOT HILLS DITCH - (1883 PRIMARY IRRIGATION)  
J.S. CURRY DITCH - (1891 SUPPLEMENTAL IRRIGATION)

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 (one miners inch) per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed ONE acre-foot during July, ONE acre-foot during August, and ONE HALF acre-foot during September for each acre irrigated during the irrigation season of each year.

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

NE $\frac{1}{4}$  NW $\frac{1}{4}$  2.4 ACRES  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  4.7 ACRES

SECTION 36

TOWNSHIP 7 SOUTH, RANGE 45 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 10236, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APR 20 2000, approving Transfer Application 8297.

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 20 2000.

15 (Thomas J. Paul (for))  
Martha O. Pagel, Director