

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ED POWERS
DURKEE, OREGON 97905confirms the right to use the waters of the BURNT RIVER, BRATTEN
SPRINGS, AND POWELL CREEK for IRRIGATION OF 163.11 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 MARCH 6, 1871 FOR 124.0 ACRES, 1871 FOR 5.11 ACRES, 1877 FOR 28.0 ACRES AND 1889 FOR 6.0 ACRES.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 3 ACRE-FEET per acre during any irrigation season with the further limitations contained in Paragraph 64 of said decree.

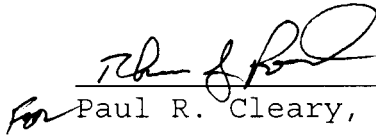
A description of the place of use to which this right is appurtenant is as follows:

| <u>PRIORITY</u> | <u>ACRES</u> | <u>DITCH</u> | <u>STREAM</u> | <u>PLACE OF USE</u> |
|------------------|--------------|--------------|--------------------|--|
| March 6, 1871 | 124.0 | Chambeam | Burnt River | NE $\frac{1}{4}$ NE $\frac{1}{4}$ 28.0 ACRES |
| | | | | SW $\frac{1}{4}$ NE $\frac{1}{4}$ 20.0 ACRES |
| | | | | SE $\frac{1}{4}$ NE $\frac{1}{4}$ 28.0 ACRES |
| | | | | SECTION 25 T 11 S, R 42 E, W.M. |
| | | | | NW $\frac{1}{4}$ NW $\frac{1}{4}$ 34.0 ACRES |
| | | | | SW $\frac{1}{4}$ NW $\frac{1}{4}$ 14.0 ACRES |
| | | | | SECTION 30 T 11 S, R 43 E, W.M. |
| 1871 | 5.11 | Powers | Bratten Springs | SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.11 ACRES SECTION 25 T 11 S, R 42 E, W.M. |
| 1877 | 28.0 | Banks | Burnt River | SE $\frac{1}{4}$ NE $\frac{1}{4}$ 9.0 ACRES |
| | | | | SECTION 25 T 11 S, R 42 E, W.M. |
| | | | | SW $\frac{1}{4}$ NW $\frac{1}{4}$ 19.0 ACRES |
| | | | | SECTION 30 T 11 S, R 43 E, W.M. |
| 1889 | 6.0 | Powell | Powell Creek | SW $\frac{1}{4}$ NW $\frac{1}{4}$ 6.0 ACRES SECTION 30 T 11 S, R 43 E, W.M. |

This certificate describes that portion of the water right confirmed by Certificate 5999, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 26 2000, approving Transfer Application 8184.

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 OCT 26 2000.


For Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 76627.