

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HENRY C. AND AMANDA A. STEELE  
49737 MILLER ROAD  
NORTH POWDER, OREGON 97867

confirms the right to use the waters of NORTH POWDER RIVER, a tributary of POWDER RIVER, for IRRIGATION OF 212.5 ACRES, STOCK and DOMESTIC.

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 1865, 1871, 1875, and 1890.

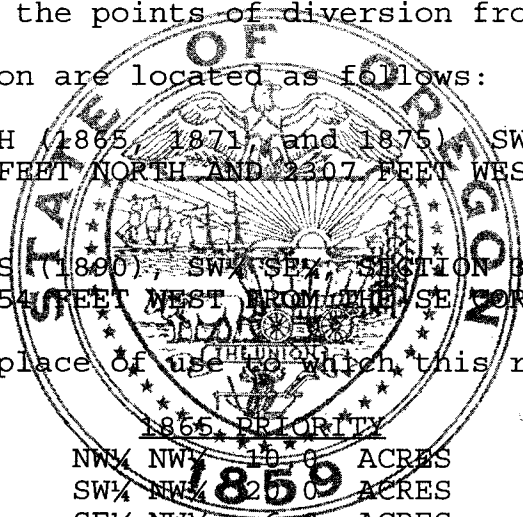
The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 5.34 CUBIC FEET PER SECOND, being 0.90 CFS with priority 1865, 0.63 CFS with priority 1871, 0.90 CFS with priority 1875, and 2.91 CFS with priority 1890 from March 1 to July 1; and 2.67 CUBIC FEET PER SECOND, being 0.45 CFS with priority 1865, 0.32 CFS with priority 1871, 0.45 CFS with priority 1875, and 1.46 CFS with priority 1890, from July 1 to October 1 of each year, the total quantity diverted during each irrigation season shall not exceed 531.25 acre feet, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

GARDNER MILLRACE DITCH (1865, 1871, and 1875), SW¼ SE¼, SECTION 32, T 6 S, R 38 E, WM; 105 FEET NORTH AND 2307 FEET WEST FROM THE SE CORNER SECTION 32; AND

POWERS COMPANY DITCHES (1890), SW¼ SE¼, SECTION 32, T 6 S, R 38 E, WM; 585 FEET NORTH AND 2154 FEET WEST FROM THE SE CORNER SECTION 32.

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



1865 PRIORITY  
NW¼ NW¼ 10.0 ACRES  
SW¼ NW¼ 22.0 ACRES  
SE¼ NW¼ 6.0 ACRES

SECTION 34  
TOWNSHIP 6 SOUTH, RANGE 38 EAST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

1871 PRIORITY

SW $\frac{1}{4}$  NW $\frac{1}{4}$  5.0 ACRES  
 SE $\frac{1}{4}$  NW $\frac{1}{4}$  20.0 ACRES  
 SECTION 34

1875 PRIORITY

NE $\frac{1}{4}$  NW $\frac{1}{4}$  35.0 ACRES  
 SECTION 34

1890 PRIORITY

NE $\frac{1}{4}$  SW $\frac{1}{4}$  8.0 ACRES  
 NW $\frac{1}{4}$  SW $\frac{1}{4}$  10.0 ACRES  
 SW $\frac{1}{4}$  SW $\frac{1}{4}$  30.0 ACRES  
 SE $\frac{1}{4}$  SW $\frac{1}{4}$  9.5 ACRES  
 SECTION 27

NW $\frac{1}{4}$  NW $\frac{1}{4}$  30.0 ACRES  
 SW $\frac{1}{4}$  NW $\frac{1}{4}$  15.0 ACRES  
 SE $\frac{1}{4}$  NW $\frac{1}{4}$  14.0 ACRES

## SECTION 34

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

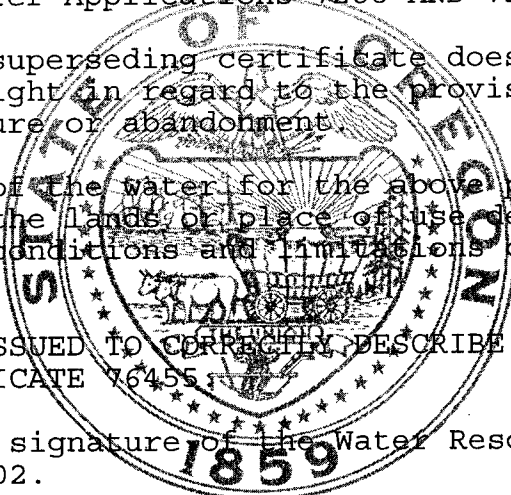
This certificate describes that portion of the water right confirmed by Certificate 1496, State Record of Water Right Certificates, further defined by an order of the Water Resources Director, entered NOVEMBER 3, 1998, in Volume 52, at Page 1086, and NOT modified by the provisions of orders of the Water Resources Director entered MARCH 21, 2000, approving Transfer Applications 7288 AND 7289.

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 of place of use described and is subject to all other conditions and limitations contained in said decree.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE QUANTITY OF WATER AND SUPERSEDES CERTIFICATE 76455.

WITNESS the signature of the Water Resources Director,  
 affixed AUGUST 28, 2002.



*Paul R. Cleary*  
 Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 79578.

T-7288 & T-7289RRCOR.SB