

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG CREEK DITCH COMPANY
HCR 88 BOX 311
BAKER CITY, OREGON 97814

confirms the right to use the waters of BIG CREEK, a tributary of POWDER RIVER, for PRIMARY IRRIGATION OF 1172.6 ACRES.

This right was perfected under Permit 30975. The date of priority is SEPTEMBER 15, 1965. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 29.3 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 NE 1/4, SECTION 28, TOWNSHIP 6 SOUTH, RANGE 42 EAST, W.M.; 1080 FEET SOUTH AND 150 WEST FROM THE NORTHEAST CORNER OF SECTION 28.

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 (or its equivalent) and 3.5 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

NW 1/4 SE 1/4 3.7 ACRES
SW 1/4 SE 1/4 *** 10.5 ACRES
SE 1/4 SE 1/4 7.6 ACRES
SECTION 31

TOWNSHIP 6 SOUTH, RANGE 42 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.

SW 1/4 SW 1/4 4.2 ACRES
 SE 1/4 SW 1/4 2.5 ACRES
 SECTION 11

SW 1/4 NW 1/4 23.3 ACRES
 NE 1/4 SW 1/4 2.8 ACRES
 SECTION 12

NE 1/4 NE 1/4 11.8 ACRES
 NW 1/4 NE 1/4 17.9 ACRES
 SW 1/4 NE 1/4 36.1 ACRES
 SE 1/4 NE 1/4 38.1 ACRES
 NE 1/4 NW 1/4 23.0 ACRES
 SW 1/4 NW 1/4 1.2 ACRES
 SE 1/4 NW 1/4 31.8 ACRES
 NE 1/4 SW 1/4 36.3 ACRES
 NW 1/4 SW 1/4 23.4 ACRES
 SW 1/4 SW 1/4 1.2 ACRES
 SE 1/4 SW 1/4 10.0 ACRES
 NE 1/4 SE 1/4 11.2 ACRES
 NW 1/4 SE 1/4 4.3 ACRES
 SW 1/4 SE 1/4 4.2 ACRES
 SE 1/4 SE 1/4 20.2 ACRES
 SECTION 13

SW 1/4 NE 1/4 2.7 ACRES
 SE 1/4 NE 1/4 1.4 ACRES
 NE 1/4 NW 1/4 8.2 ACRES
 NW 1/4 NW 1/4 4.4 ACRES
 SW 1/4 NW 1/4 17.3 ACRES
 SE 1/4 NW 1/4 4.4 ACRES
 NE 1/4 SW 1/4 16.6 ACRES
 NW 1/4 SW 1/4 1.3 ACRES
 SW 1/4 SW 1/4 13.0 ACRES
 SE 1/4 SW 1/4 16.6 ACRES
 NE 1/4 SE 1/4 12.6 ACRES
 NW 1/4 SE 1/4 17.8 ACRES
 SW 1/4 SE 1/4 11.0 ACRES
 SE 1/4 SE 1/4 8.2 ACRES
 SECTION 14

NE 1/4 NE 1/4 5.3 ACRES
 SE 1/4 NE 1/4 40.0 ACRES
 NE 1/4 SE 1/4 15.2 ACRES
 SECTION 22

NW 1/4 NW 1/4 8.7 ACRES
 SW 1/4 NW 1/4 14.9 ACRES
 NE 1/4 SW 1/4 3.4 ACRES
 NW 1/4 SW 1/4 8.5 ACRES
 SW 1/4 SW 1/4 3.3 ACRES
 SE 1/4 SW 1/4 6.0 ACRES
 SE 1/4 SE 1/4 6.0 ACRES
 SECTION 23

TOWNSHIP 7 SOUTH, RANGE 41 EAST, W.M.

NE 1/4	NE 1/4	6.9 ACRES
NW 1/4	NE 1/4	1.0 ACRE
SW 1/4	NE 1/4	29.5 ACRES
SE 1/4	NE 1/4	20.2 ACRES
NE 1/4	NW 1/4	6.3 ACRES
NW 1/4	NW 1/4	21.6 ACRES
SW 1/4	NW 1/4	38.0 ACRES
SE 1/4	NW 1/4	5.5 ACRES
NE 1/4	SW 1/4	2.5 ACRES
NW 1/4	SW 1/4	9.4 ACRES
SW 1/4	SW 1/4	7.3 ACRES
NE 1/4	SE 1/4	15.4 ACRES
NW 1/4	SE 1/4	11.4 ACRES
SW 1/4	SE 1/4	9.2 ACRES
SE 1/4	SE 1/4	17.0 ACRES

SECTION 24

NE 1/4	NE 1/4	5.6 ACRES
NW 1/4	NE 1/4	11.2 ACRES
SE 1/4	NE 1/4	8.2 ACRES
NE 1/4	SE 1/4	7.0 ACRES

SECTION 25

NE 1/4	NW 1/4	0.2 ACRE
NW 1/4	NW 1/4	0.1 ACRE

SECTION 26

TOWNSHIP 7 SOUTH, RANGE 41 EAST, W.M.

SW 1/4	SW 1/4	2.9 ACRES
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SECTION 5

NW 1/4	NE 1/4	23.0 ACRES
SW 1/4	NE 1/4	3.9 ACRES
NW 1/4	SE 1/4	7.3 ACRES
SW 1/4	SE 1/4	1.0 ACRE

SECTION 6

SW 1/4	NE 1/4	0.5 ACRE
NE 1/4	NW 1/4	8.8 ACRES
SE 1/4	NW 1/4	15.0 ACRES
NE 1/4	SW 1/4	3.0 ACRES
SE 1/4	SW 1/4	8.0 ACRES
NW 1/4	SE 1/4	7.3 ACRES
SW 1/4	SE 1/4	25.3 ACRES

SECTION 7

NW 1/4	NW 1/4	1.1 ACRES
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SECTION 8

TOWNSHIP 7 SOUTH, RANGE 42 EAST, W.M.

NE 1/4 NW 1/4 21.1 ACRES
 NW 1/4 NW 1/4 15.1 ACRES
 SW 1/4 NW 1/4 7.4 ACRES
 SE 1/4 NW 1/4 22.0 ACRES
 NE 1/4 SW 1/4 7.5 ACRES
 NW 1/4 SW 1/4 17.5 ACRES

SECTION 18

SW 1/4 SW 1/4 8.5 ACRES

SECTION 19

NW 1/4 NE 1/4 11.4 ACRES
 SW 1/4 NE 1/4 17.8 ACRES
 NE 1/4 NW 1/4 34.9 ACRES
 NW 1/4 NW 1/4 5.1 ACRES
 SW 1/4 NW 1/4 12.5 ACRES
 SE 1/4 NW 1/4 27.4 ACRES
 NE 1/4 SW 1/4 11.2 ACRES
 NW 1/4 SW 1/4 14.7 ACRES
 SW 1/4 SW 1/4 5.5 ACRES
 SE 1/4 SW 1/4 1.5 ACRES

SECTION 30

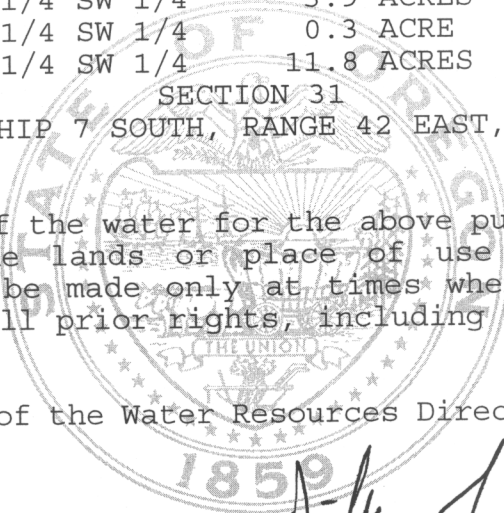
NE 1/4 SW 1/4 2.8 ACRES
 NW 1/4 SW 1/4 3.9 ACRES
 SW 1/4 SW 1/4 0.3 ACRE
 SE 1/4 SW 1/4 11.8 ACRES

SECTION 31

TOWNSHIP 7 SOUTH, RANGE 42 EAST, W.M.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed September 3, 2002.



Paul R. Cleary
 Paul R. Cleary

Recorded in State Record of Water Right Certificates Number 79587.