

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT P. SEYMOUR  
15394 N ROCK CREEK LANE  
HAINES, OREGON 97833.

BARBARA P. SEYMOUR  
4270 ALDERBROOK AVENUE SE  
SALEM, OREGON 97302

CLARE P. HAYES  
20920 CANALVIEW DRIVE  
BEND, OREGON 97701

LUCILE P. MCCULLOUGH, TRUSTEE  
2935 7TH STREET  
BAKER CITY, OREGON 97814

confirms the right to use the waters of ROCK CREEK, a tributary of the POWDER RIVER, for IRRIGATION OF 40.0 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 6, at Page 291. The date of priority is 1883.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE-FORTIETH of once cubic foot per second per acre (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION AT THE LOCKEN-TONEY DITCH) or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 31, T 7 S, R 39 E, W.M.; OWENS DITCH - 165 FEET NORTH AND 930 FEET EAST FROM THE W $\frac{1}{4}$  CORNER, SECTION 31.

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

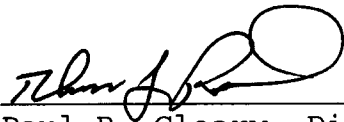
SW $\frac{1}{4}$  SE $\frac{1}{4}$  40.0 ACRES  
SECTION 31  
TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered DEC 16 2002, approving Transfer Application 9162 and together with Certificate 79756, supersedes Certificate 4311, 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.

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 DEC 16 2002.

  
\_\_\_\_\_  
Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 79755.