

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EDWARD W. COLES
HAINES, OR 97833

confirms the right to use the waters of ROCK CREEK, SAND CREEK, AND POWDER RIVER, tributaries of the SNAKE RIVER, for IRRIGATION of 551.5 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 dates of priority are July 1880 for 100.0 acres and 1890 for 175.0 acres in Tract 1, 1900 for 86.0 acres in Tract 2, 1880 for 127.0 acres in Tract 3, April 28, 1881 for 11.5 acres in tract 4, and 1906 for 52.0 acres in tract 5.

The amount of water to which this right is entitled, and hereby confirmed for the purposes described, is limited to the amount actually beneficially used and shall not exceed ONE-FORTIETH of one cubic foot per second per acre or the equivalent in case of rotation.

The point of diversion is located as follows:

TWP		RNG		MER	SEC	LOT	1/4	1/4	LOCATION
7	S	39	E	W.M.	31		NW	NE	

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

TRACT	SOURCE	TWP	RNG	MER	SEC	LOT	1/4	1/4	ACRES	
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	20	SW	SW	38.2
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	20	SE	SW	39.1
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	20	SW	SE	38.2
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	20	SE	SE	7.3
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	28	NW	NW	8.2
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	28	SW	NW	9.9
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	29	NE	NE	29.6
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	29	NW	NE	40.0
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	29	SW	NE	40.0
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	29	SE	NE	24.5

TRACT	SOURCE	TWP		RNG		MER	SEC	LOT	1/4	1/4	ACRES
TRACT 2	SAND CREEK	7	S	39	E	W.M.	28		NW	NE	13.0
TRACT 2	SAND CREEK	7	S	39	E	W.M.	28		SW	NE	34.0
TRACT 2	SAND CREEK	7	S	39	E	W.M.	28		SE	NE	25.0
TRACT 2	SAND CREEK	7	S	39	E	W.M.	28		NE	SW	14.0
TRACT 3	SAND CREEK	7	S	39	E	W.M.	28		NW	NE	21.0
TRACT 3	SAND CREEK	7	S	39	E	W.M.	28		SW	NE	6.0
TRACT 3	SAND CREEK	7	S	39	E	W.M.	28		NE	NW	40.0
TRACT 3	SAND CREEK	7	S	39	E	W.M.	28		SE	NW	40.0
TRACT 3	SAND CREEK	7	S	39	E	W.M.	28		NE	SW	20.0
TRACT 4	SAND CREEK	7	S	39	E	W.M.	28		NE	SW	6.0
TRACT 4	SAND CREEK	7	S	39	E	W.M.	28		NW	SW	4.1
TRACT 4	SAND CREEK	7	S	39	E	W.M.	28		SW	SW	0.4
TRACT 4	SAND CREEK	7	S	39	E	W.M.	28		SE	SW	1.0
TRACT 5	POWDER RIVER	7	S	39	E	W.M.	27		NW	NW	4.0
TRACT 5	POWDER RIVER	7	S	39	E	W.M.	27		SW	NW	31.0
TRACT 5	POWDER RIVER	7	S	39	E	W.M.	28		NW	NE	4.0
TRACT 5	POWDER RIVER	7	S	39	E	W.M.	28		SE	NE	13.0

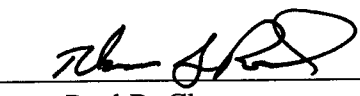
This certificate is issued to correct scrivener's errors contained in the certificates recorded at pages 72175 and 72177 of the State Record of Water Right Certificates. This certificate supersedes Certificates 72175 and 72177.

This certificate describes that portion of the water right confirmed by Certificate 43541, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on March 25, 1996, and recorded in Special Order Volume 50, Page 194, approving a petition by James P. Ingram under ORS 541.329.

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 MAY 13 2003


 Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 80068.

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