

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

H. JELDNESS
HALFWAY, OREGON, 97834

confirms the right to use the waters of PINE CREEK, a tributary of the SNAKE RIVER, for IRRIGATION OF 196.7 ACRES, DOMESTIC AND STOCK USE.

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 11, at Page 235. The date of priority is 1883 FOR TRACT NO 1 AND 1890 FOR TRACT NO 2.

The points of diversion are located as follows:

FOOT HILLS DITCH FOR TRACT NO 1; AND

POSEY VALLEY DITCH FOR TRACT NO 2.

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, measured at the point of diversion and shall be further limited to a diversion of not to exceed ONE-ACRE FOOT PER ACRE DURING JULY, ONE ACRE FOOT PER ACRE DURING AUGUST, AND ONE-HALF ACRE FOOT PER ACRE DURING SEPTEMBER, for each acre irrigated during the irrigation season of each year.

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

TRACT NO. 1

SW¼ NE¼ 17.0 ACRES
SW¼ NW¼ 13.5 ACRES
SE¼ NW¼ 38.0 ACRES
NE¼ SW¼ 13.0 ACRES
NW¼ SE¼ 39.0 ACRES
SW¼ SE¼ 30.0 ACRES

SECTION 17

TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

TRACT NO. 2

NE¼ NE¼ 8.4 ACRES
NW¼ NE¼ 7.2 ACRES
SW¼ NE¼ 5.0 ACRES
SE¼ NE¼ 30.6 ACRES

SECTION 20

TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

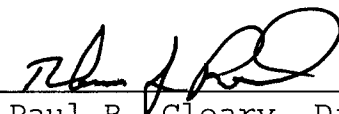
This certificate describes that portion of the water right confirmed by Certificate 10357, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 17 2003, approving Transfer Application 8002.

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 JUL 17 2003



Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80372.