

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MILES LEE AND E. A. VAN SICKLIN  
BAKER CITY, OR 97814

confirms the right to use the waters of PINE CREEK, a tributary of the POWDER RIVER, for IRRIGATION of 818.0 ACRES and DOMESTIC USE.

This right was perfected under Permit No. 410. The date of priority is August 22, 1910. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 10.23 CUBIC FEET PER SECOND FOR IRRIGATION and 0.10 CUBIC FOOT PER SECOND FOR DOMESTIC USE, or the equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

TWP		RNG		MER	SEC	DLC	LOT	1/4	1/4	LOCATION
8	S	38	E	W.M.	26			SE	NE	

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-EIGHTIETH of one cubic foot per second, or the equivalent, and 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:

TWP	RNG	MER	SEC	DLC	LOT	1/4	1/4	ACRES
8	S	39	E	W.M.	17		NE SW	40.00
8	S	39	E	W.M.	17		NW SW	40.00
8	S	39	E	W.M.	17		SW SW	40.00
8	S	39	E	W.M.	17		SE SW	40.00
8	S	39	E	W.M.	18		NE SE	33.30
8	S	39	E	W.M.	18		NW SE	30.17
8	S	39	E	W.M.	18		SW SE	40.00
8	S	39	E	W.M.	18		SE SE	35.00

TWP	RNG	MER	SEC	DLC	LOT	1/4	1/4	ACRES	
8	S	39	E	W.M.	19		NE	NE	29.53
8	S	39	E	W.M.	19		NW	NE	25.00
8	S	39	E	W.M.	19		SW	NE	25.00
8	S	39	E	W.M.	19		SE	NE	40.00
8	S	39	E	W.M.	19		SE	NW	40.00
8	S	39	E	W.M.	19		NE	SW	10.00
8	S	39	E	W.M.	19		SE	SW	10.00
8	S	39	E	W.M.	20		NE	NW	40.00
8	S	39	E	W.M.	20		NW	NW	40.00
8	S	39	E	W.M.	20		SW	NW	40.00
8	S	39	E	W.M.	20		SE	NW	40.00
8	S	39	E	W.M.	29		NE	NW	40.00
8	S	39	E	W.M.	29		NW	NW	40.00
8	S	39	E	W.M.	30		NE	NE	10.00
8	S	39	E	W.M.	30		NW	NE	10.00
8	S	39	E	W.M.	30		NE	NW	40.00
8	S	39	E	W.M.	30		NW	NW	40.00

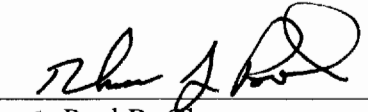
This certificate is issued to correct a scrivener's error contained in the certificate recorded at page 80351, State Record of Water Right Certificates. Certificate 80351 incorrectly deducted 5.0 acres of canceled water right from the SW SE, instead of the SE SE, of Section 18, Township 8 South, Range 39 East, W.M. This certificate corrects the error, and supersedes Certificate 80351.

This certificate describes that portion of the water right confirmed by Certificate 75492, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered June 19, 2003, and recorded in Special Order Volume 57, Page 940, canceling a portion of the water right.

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

WITNESS the signature of the Water Resources Director, affixed \_\_\_\_\_

  
 Paul R. Cleary