

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MILES LEE AND E A VAN SICKLIN
BAKER CITY OREGON 97814

confirms the right to use the waters of PINE CREEK, a tributary of the POWDER RIVER, for IRRIGATION OF 726.91 ACRES.

This right was perfected under Permit 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 9.19, being 9.09 CUBIC FEET PER SECOND FOR IRRIGATION and 0.10 CUBIC FOOT PER SECOND FOR DOMESTIC USE, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 26, T 8 S, R 38 E, W.M..- DRY GULCH DITCH

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 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:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.00 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.00 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.00 ACRES
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.00 ACRES
 SECTION 17

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 33.30 ACRES
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 19.08 ACRES
 SECTION 18

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 35.00 ACRES
 SECTION 18

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 29.53 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 25.00 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 25.00 ACRES
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.00 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10.00 ACRES
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 10.00 ACRES
 SECTION 19

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.00 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.00 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.00 ACRES
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.00 ACRES
 SECTION 20

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.00 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.00 ACRES
 SECTION 29

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 10.00 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.00 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.00 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.00 ACRES
 SECTION 30

TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

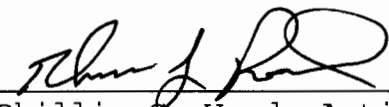
This certificate describes that portion of the water right evidenced by Certificate 80458, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 09 2004, approving Transfer Application 9412 for a change in point of diversion and a partial cancellation of a water right.

The issuance of this 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 rights for maintaining instream flows.

WITNESS the signature of the Water Resources

Director, affixed August 9, 2004.


for Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80882.