

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

POWDER VALLEY WATER CONTROL DISTRICT
P.O. BOX 189
NORTH POWDER, OREGON 97867

confirms the right to use the waters of ROCK CREEK, KILMERQUE CREEK, and LITTLE MUDDY CREEK, a tributary of the POWDER RIVER, for IRRIGATION 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 1.0 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the points of diversion from the sources.

The points of diversion are located as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.;
ROCK CREEK PIPELINE - 2960 FEET SOUTH AND 3040 FEET WEST FROM THE NE $\frac{1}{4}$ CORNER, SECTION 34.

NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 7, TOWNSHIP 8 SOUTH, RANGE 38 EAST, W.M.;
RUBY INGRAM FORD DITCH, KILLAMAQUE CREEK.

SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 34, TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.;
FISHER LONG DITCH, ROCK CREEK.

NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 26, TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.;
LEONNIG DITCH; BIG MUDDY CREEK.

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-FORTIETH of one cubic foot per second per acre for each acre irrigated during the irrigation season of each year acre-feet 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:

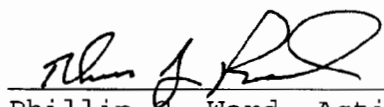
SW¼ SE¼ 40.0 ACRES
SECTION 23
TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 76596, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 11 2004, approving Transfer Application 7486.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,
affixed August 11, 2004.



For Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80895.