

STATE OF OREGON  
COUNTY OF BAKER  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

H.T. BABCOCK  
NEW BRIDGE, OREGON

confirms the right to use the waters of EAGLE CREEK, a tributary of the POWDER RIVER, for IRRIGATION OF 39.1 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 FOR 20.0 ACRES AND 1888 FOR 19.1 ACRES.

The point of diversion is located as follows:

SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 29, T 8 S, R 45 E, W.M. - TOBIN 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-FORTIETH of one cubic foot per second per acre, or its equivalent 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:

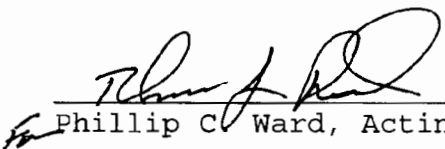
NE $\frac{1}{4}$  NW $\frac{1}{4}$  14.0 ACRES  
NW $\frac{1}{4}$  NW $\frac{1}{4}$  5.0 ACRES  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  20.1 ACRES  
SECTION 33  
TOWNSHIP 8 SOUTH, RANGE 45 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 4593, 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 9444.

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          .

  
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For Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80907.