

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 808.5 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 10.11 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

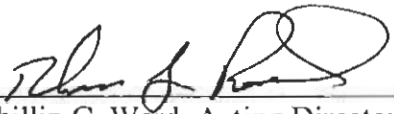
TWP	RNG	MER	SEC	DLC	LOT	1/4	1/4	ACRES	
8	S	39	E	W.M.	19		NE	NE	29.53
8	S	39	E	W.M.	19		NW	NE	25.00
8	S	39	E	W.M.	19		SW	NE	25.00
8	S	39	E	W.M.	19		SE	NE	30.50
8	S	39	E	W.M.	19		SE	NW	40.00
8	S	39	E	W.M.	19		NE	SW	10.00
8	S	39	E	W.M.	19		SE	SW	10.00
8	S	39	E	W.M.	20		NE	NW	40.00
8	S	39	E	W.M.	20		NW	NW	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	SW	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 describes that portion of the water right evidenced by Certificate 80458, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered SEP 08 2004, and recorded in Special Order Volume 61, Page 322, canceling a portion of the water right. This certificate supersedes Certificate 80458.

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.

Issued: September 8, 2004


 Phillip C. Ward, Acting Director