

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W. C. JASPER
NEW BRIDGE, OR 97866

confirms the right to use the waters of Eagle Creek, a tributary of Powder River, for IRRIGATION of 55.48 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 25.9 acres in Tract No. 1 and 1898 for 19.7 acres in Tract No. 2.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/40 CUBIC FOOT PER SECOND per acre and shall be subject to all other conditions and limitations contained in said decree.

The points of diversion are located on the Newt Young Ditch (Tract No.1) and Tobin Ditch (Tract No. 2).

A description of the place of use to which this right is appurtenant is as follows:

Tract No. 1 (Newt Young Ditch)

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.25 acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.24 acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 25.90 acres

SECTION 10

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.39 acres

SECTION 11

TOWNSHIP 9 SOUTH, RANGE 45 EAST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Tract No. 2 (Tobin Ditch)

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.20 acres
SECTION 10

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 11.50 acres
SECTION 11

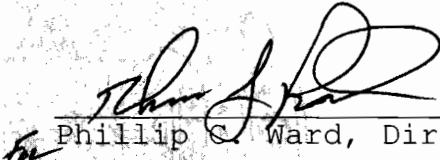
TOWNSHIP 9 SOUTH, RANGE 45 EAST, W.M.

This certificate is issued to correct the description of the priority dates associated with the lands in conformity with the Powder River Decree, and supersedes Certificate 49625. This certificate describes that portion of the water right confirmed by Certificate 4676, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered at Special Order Volume 33, page 310, approving Transfer Application 4450.

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.

WITNESS the signature of the Water Resources Director,
affixed August 3, 2005.


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81573.