

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARL A. & FRED WARNER  
ROUTE 2 BOX 135  
BAKER CITY, OR 97814

confirms the right to use the waters of WASTE WATER FROM THE POWDER RIVER for IRRIGATION OF 118.6 ACRES.

This right was perfected under Permit 11973. The date of priority is NOVEMBER 21, 1935. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.96 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW3 NW3 and NW3 SW3 OF SECTION 17, NE3 and N2 SE3 OF SECTION 18,  
T 8 S, R 40 E, W.M.

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.

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:

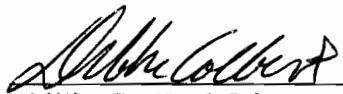
SE3 NE3	40.0 ACRES
NE3 SE3	38.6 ACRES
SE3 SE3	40.0 ACRES

SECTION 12  
TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 73522, State Record of Water Right Certificates, NOT modified by a partial cancellation of a water right pursuant to the provisions of an order of the Water Resources Director entered May 24, 2007, approving Transfer Application T-8446.

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.

WITNESS the signature of the Water Resources Director, affixed May 24, 2007

  
Phillip C. Ward, Director