

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG CREEK DITCH COMPANY  
BAKER, OR 97814

confirms the right to use the waters of the BIG CREEK, a tributary of the POWDER RIVER, for IRRIGATION of 1435.5 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 AUGUST 28, 1908. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 71.78 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

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-TWENTIETH of one cubic foot per second, 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. 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.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
7 S	41 E	WM	11	SW SW		2.6
7 S	41 E	WM	11	SE SW		28.0
7 S	41 E	WM	11	SE SE		15.2
7 S	41 E	WM	12	SW NW		2.2
7 S	41 E	WM	12	NE SW		19.7
7 S	41 E	WM	12	NW SW		20.3
7 S	41 E	WM	12	NE SE		8.1
7 S	41 E	WM	12	NW SE		11.7
7 S	41 E	WM	12	SW SE		0.7
7 S	41 E	WM	13	NW NE		16.6
7 S	41 E	WM	13	NW NW		2.3
7 S	41 E	WM	13	SW NW		2.7
7 S	41 E	WM	13	NE SW		3.7
7 S	41 E	WM	13	NW SW		1.0
7 S	41 E	WM	13	SW SW		28.4
7 S	41 E	WM	13	SE SW		30.0
7 S	41 E	WM	13	NE SE		28.0
7 S	41 E	WM	13	NW SE		35.7
7 S	41 E	WM	13	SW SE		35.0
7 S	41 E	WM	13	SE SE		17.6
7 S	41 E	WM	14	NE NE		20.0
7 S	41 E	WM	14	NE NW		22.3
7 S	41 E	WM	14	NW NW		0.4
7 S	41 E	WM	14	SW NW		1.0
7 S	41 E	WM	14	SE NW		30.9
7 S	41 E	WM	14	NE SW		4.5

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
7 S	41 E	WM	14	SE SW		6.2
7 S	41 E	WM	14	NE SE		12.1
7 S	41 E	WM	14	NW SE		11.0
7 S	41 E	WM	14	SW SE		8.6
7 S	41 E	WM	14	SE SE		2.3
7 S	41 E	WM	23	NW NW		31.6
7 S	41 E	WM	23	SW NW		22.9
7 S	41 E	WM	23	NE SW		22.5
7 S	41 E	WM	23	NW SW		7.1
7 S	41 E	WM	23	SE SW		2.5
7 S	41 E	WM	23	NE SE		6.9
7 S	41 E	WM	23	NW SE		3.8
7 S	41 E	WM	23	SW SE		2.4
7 S	41 E	WM	23	SE SE		8.6
7 S	41 E	WM	24	NE NE		11.0
7 S	41 E	WM	24	NW NE		37.6
7 S	41 E	WM	24	SW NE		5.8
7 S	41 E	WM	24	SE NE		0.8
7 S	41 E	WM	24	NE NW		18.0
7 S	41 E	WM	24	NW NW		1.7
7 S	41 E	WM	24	SE NW		16.7
7 S	41 E	WM	24	NE SW		32.8
7 S	41 E	WM	24	NW SW		18.7
7 S	41 E	WM	24	SW SW		5.6
7 S	41 E	WM	24	SE SW		38.0
7 S	41 E	WM	24	NE SE		1.2
7 S	41 E	WM	24	NW SE		26.5
7 S	41 E	WM	24	SW SE		29.7
7 S	41 E	WM	24	SE SE		15.3
7 S	41 E	WM	25	NE NE		8.0
7 S	41 E	WM	25	NW NE		4.0
7 S	41 E	WM	25	SE NE		5.7
7 S	41 E	WM	25	NE SE		23.2
7 S	41 E	WM	25	SE SE		19.5
7 S	41 E	WM	26	NE NE		11.5
7 S	41 E	WM	26	NW NE		18.6
7 S	41 E	WM	26	SW NE		13.8
7 S	41 E	WM	26	SE NW		9.1
7 S	41 E	WM	36	NE NE		2.1
7 S	42 E	WM	5	NW NW	4	18.2
7 S	42 E	WM	5	SW NW		22.0
7 S	42 E	WM	5	NW SW		25.9
7 S	42 E	WM	5	SW SW		12.1
7 S	42 E	WM	6	NE NE	1	18.4
7 S	42 E	WM	6	NW NE	2	7.9
7 S	42 E	WM	6	SW NE		12.4
7 S	42 E	WM	6	SE NE		14.2
7 S	42 E	WM	6	NE SE		4.0
7 S	42 E	WM	6	NW SE		18.5
7 S	42 E	WM	6	SW SE		0.1
7 S	42 E	WM	6	SE SE		10.1

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
7 S	42 E	WM	7	NE NE		14.5
7 S	42 E	WM	7	NW NE		8.5
7 S	42 E	WM	7	SW NE		11.4
7 S	42 E	WM	7	SE NE		4.0
7 S	42 E	WM	7	NE NW		0.1
7 S	42 E	WM	7	SW NW	2	5.2
7 S	42 E	WM	7	SE NW		6.7
7 S	42 E	WM	7	NE SW		0.2
7 S	42 E	WM	7	NW SW	3	2.0
7 S	42 E	WM	7	SE SW	3	30.5
7 S	42 E	WM	7	NW SE		11.5
7 S	42 E	WM	7	SW SE		6.1
7 S	42 E	WM	8	NW NW		1.1
7 S	42 E	WM	18	NE NW		18.0
7 S	42 E	WM	18	NW NW	1	20.3
7 S	42 E	WM	18	SW NW	2	31.6
7 S	42 E	WM	18	SE NW		3.0
7 S	42 E	WM	18	NE SW		0.2
7 S	42 E	WM	18	NW SW	3	16.0
7 S	42 E	WM	30	NW NE		3.9
7 S	42 E	WM	30	SW NE		1.6
7 S	42 E	WM	30	NE NW		1.5
7 S	42 E	WM	30	NW NW	1	26.0
7 S	42 E	WM	30	SW NW	2	26.6
7 S	42 E	WM	30	SE NW		11.0
7 S	42 E	WM	30	NE SW		15.6
7 S	42 E	WM	30	SW SW	4	8.2
7 S	42 E	WM	30	SE SW		8.8
7 S	42 E	WM	31	SW SW	4	20.2
7 S	42 E	WM	31	SE SW		4.2
8 S	42 E	WM	6	NE NW	3	1.6
8 S	42 E	WM	6	NW NW	4	29.4
8 S	42 E	WM	6	SW NW	5	9.2
8 S	42 E	WM	6	SE NW		1.0

This certificate describes that portion of the water right confirmed by Certificate 12005, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered July 11, 2006, approving Transfer Application 9904 for a change in place of use.

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 July 11, 2006.

*Phillip C. Ward*  
 Phillip C. Ward, Director