

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHARLES COLTON
RT 2 BOX 140; PO BOX 628
BAKER CITY OR 97814

confirms the right to use the waters of POWDER RIVER, tributary to SNAKE RIVER for IRRIGATION of 80.0 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 1867. The amount of water to which this right is entitled is limited to 2.0 CUBIC FEET PER SECOND, being 1.0 cubic foot per second for Tract 2 and 1.0 cubic foot per second for Tract 3 or its equivalent in case of rotation.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Tract	Survey Coordinates
8 S	40 E	WM	7	NE NE	2	ELLIOTT EAST 2 DITCH - 390 FEET SOUTH AND 1200 FEET WEST FROM THE NE CORNER OF SECTION 7
8 S	40 E	WM	8	SE NW	3	ISON EAST 1 DITCH - 2670 FEET NORTH AND 1430 FEET EAST FROM SW CORNER OF SECTION 8

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-FORTIETH of one cubic foot per second 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:

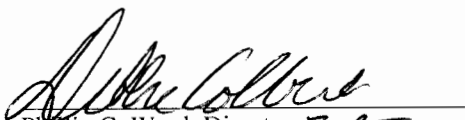
Twp	Rng	Mer	Sec	Q-Q	Acres	Tract
8 S	40 E	WM	6	SW SE	40.0	2
8 S	40 E	WM	6	SE SE	40.0	3

This certificate describes that portion of the water right confirmed by Certificate 73581, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 27 2006 approving Transfer Application 8087.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed SEP 27 2006.


Phillip C. Ward, Director