

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HEIRS OF E.P. PERKINS  
BAKER, OREGON

confirms the right to use the waters of POWDER RIVER, a tributary of SNAKE RIVER, for IRRIGATION of 79.3 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 1866.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1.98 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Point 23 - Company West (AKA Geddes Osborn Chambers): 1600' S & 320' W from the NE¼ corner, Sec 5, Township 9 South, Range 40 East, 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 a diversion of ONE-FORTIETH 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.

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.

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

SW $\frac{1}{4}$  NE $\frac{1}{4}$  40.0 ACRES  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  39.7 ACRES  
SECTION 20  
TOWNSHIP 8 SOUTH, RANGE 40 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 73580, 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 T-8697 and correctly identifying the point of diversion.

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 SEP 27 2006.

  
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Phillip C. Ward, Director *PCW*

Recorded in State Record of Water Right Certificates numbered 82730.