

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JEPSON BROTHERS RANCH CO.
P.O. BOX 158
BAKER CITY OR 97814

ROBERT & SUSAN HEDGPETH
RURAL RT 1
BAKER CITY OR 97814

DAVID & CAROL M. PHILLIPS
P.O. BOX 493
CLATSKANIE, OR 97016

confirms the right to use the waters of MILL CREEK, a tributary of the POWDER RIVER, for IRRIGATION OF 99.60 ACRES and SUPPLEMENTAL IRRIGATION of 135.40 ACRES

This right was perfected under Permit S-26504. The date of priority is DECEMBER 28, 1959 and DECEMBER 29, 1959. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 5.88 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:

TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES
8 S	39 E	WM	32	SE SW	BOWLES DITCH: 1280 FEET NORTH AND 2640 FEET EAST FROM SW CORNER OF SECTION 32

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. 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							
LEGAL DESCRIPTION						SUPPLEMENTAL INFORMATION	
TWP	RNG	MER	SEC	Q-Q	ACRES	TAX LOT	USER
8 S	39 E	WM	15	SE SE	40.00	900	JEPSON
8 S	39 E	WM	22	NE NE	30.00	5000	HEDGPETH
8 S	39 E	WM	22	NW NE	29.60	5000	HEDGPETH
TOTAL:					99.60		

SUPPLEMENTAL IRRIGATION							
LEGAL DESCRIPTION						SUPPLEMENTAL INFORMATION	
TWP	RNG	MER	SEC	Q-Q	ACRES	TAX LOT	USER
8 S	39 E	WM	22	NE NW	24.30	5200	PHILLIPS
8 S	39 E	WM	22	NW NW	40.00	5200	PHILLIPS
8 S	39 E	WM	22	SW NW	40.00	5200	PHILLIPS
8 S	39 E	WM	22	SE NW	31.10	5200	PHILLIPS
TOTAL:					135.40		

This certificate correctly describes that portion of the water right confirmed by Certificate 72624, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on October 28, 1996, and recorded in Special Order Volume 50 Page 735, approving a petition by Kerns Brothers, Inc. under ORS 541.329.

This certificate corrects scrivener's errors in: 1) the description of the total number of acres of irrigation and supplemental irrigation, and 2) the description of the acres of irrigation in Township 8 South, Range 39 East, W.M., Section 15, Southeast Southeast, Tax Lot 900. This certificate supersedes Water Right Certificate 72624.

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 January 2, 2007


 For Phillip C. Ward, Director